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ATTORNEYS AT LAW
FEDERAL ELECTION COMMISSION
SECRETARIAT

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Joseph Remcho (1944-2003)
Robin B. Johansen
Kathleen J. Purcell
James C. Harrison
Thomas A. Willis
Margaret R. Prinzing
Karen Getman, *Of Counsel*

2005 JUN 14 P 4: 00

May 10, 2005

VIA FEDERAL EXPRESS

Federal Election Commission
Office of General Counsel
999 "E" Street, N.W.
Washington, D.C. 20463

AOR 2005-08

2005 MAY 11 P 12: 39
RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

Re: Request for Advisory Opinion: Application of 2 U.S.C. § 441b(a)

Dear Commissioners:

This is a request on behalf of our client, California State Senator Mike Machado. Senator Machado wishes to know if it is permissible for his Legal Defense Fund to accept a contribution from a national bank.

We note that the Federal Election Commission, in its Advisory Opinion Number 2003-15 issued to G. Scott Rafshoon, Esq. on behalf of U.S. Representative Denise Majette, determined that the provision in U.S.C. § 441b(a) that prohibits contributions from national banks to candidates does not apply to a federal candidate's legal defense fund.

Although there are differences in the procedures for establishment of legal defense funds for federal candidates (Rules of the House of Representatives, Rule XXV(5)(a)(3)(E)) and the procedures applicable to California state candidates' legal defense funds (Cal. Gov't Code § 85304 and Cal. Code Regs. tit. 2, §18530.4), we believe equal treatment under the Federal Election Campaign Act dictates a finding that a state candidate's legal defense fund may accept contributions from national banks.

FACTS

Senator Machado has established a "legal defense fund" pursuant to California's Political Reform Act of 1974, as amended to January 1, 2005.¹

The California Political Reform Act provides:

(a) A candidate for elective state office or an elected state officer may establish a separate account to defray attorney's fees and other related legal costs incurred for the candidate's or officer's legal defense if the candidate or officer is subject to one or more civil or criminal proceedings or administrative proceedings arising directly out of the conduct of an election campaign, the electoral process, or the performance of the officer's governmental activities and duties. These funds may be used only to defray those attorney fees and other related legal costs.

(b) A candidate may receive contributions to this account that are not subject to the contribution limits set forth in this article. However, all contributions shall be reported in a manner prescribed by the commission.

(c) Once the legal dispute is resolved, the candidate shall dispose of any funds remaining after all expenses associated with the dispute are discharged for one or more of the purposes set forth in paragraphs (1) to (5), inclusive, of subdivision (b) of Section 89519.

Gov't Code § 85304.

The Fair Political Practices Commission adopted the following regulation to administer the provisions of Government Code section 85304:

(a) Notwithstanding Government Code section 85201, candidates who raise legal defense funds pursuant to Government Code section 85304 must deposit those funds in a single bank account at a financial institution located in the State of California which is separate from any other bank account held by the official, including any campaign bank account. The candidate must establish a controlled committee for the account by filing a

¹ California Government Code sections 81000-91014; Fair Political Practices Commission regulations appear at Title 2, sections 18109-18997, of the California Code of Regulations.

statement of organization pursuant to Government Code section 84101. The words "Legal Defense Fund" shall be included as part of the committee name.

(b) The committee shall file quarterly campaign statements as follows:

(1) No later than April 30 for the period of January 1 through March 31.

(2) No later than July 31 for the period of April 1 through June 30.

(3) No later than October 31 for the period of July 1 through September 30.

(4) No later than January 31 for the period of October 1 through December 31.

(c) Contributions to a legal defense fund account are not subject to Government Code sections 85200, 85201 and 85402.

(d) An elected state officer or candidate for elective state office may establish a legal defense fund under Government Code section 85304 regardless of the individual's status as a local candidate or officeholder.

(e) Funds raised pursuant to Government Code section 85304 are limited to that amount reasonably necessary to defray the attorney fees and other legal costs related to the proceeding for which the fund was created.

(f) Remaining legal defense funds, as defined by subdivision (c) of Government Code section 85304, may be disposed of for the purpose set forth in subdivisions (b)(1) through (b)(5) of Government Code section 89519, except that such disposition is subject to the provisions of Government Code sections 85301-85306 and 2 Cal. Code Regs. section 18536.

Cal. Code Regs. tit. 2, § 18530.4.

Under these provisions, a California elected state officer or state candidate must establish a legal defense fund by filing a statement of organization (FPPC Form 410), which is the same procedure for establishing a candidate's campaign committee. Contributions to the

legal defense fund are not subject to any contribution limits. All contributions received and expenditures made by the legal defense fund must be fully disclosed in the same manner as recipient committees are required to disclose under California's campaign disclosure law. Disclosure reports for a legal defense fund must be filed on a quarterly basis.

A legal defense fund only may accept an amount of contributions that is reasonably necessary to defray the attorney fees and other legal costs related to the proceeding for which the fund was created. Contributions to the legal defense fund may not be used for campaign or election purposes and may not be used for personal purposes. Any funds remaining after the payment of attorney fees and other legal costs related to the proceeding for which the legal defense fund was created may be used only for the following purposes:

- (1) The payment of outstanding campaign debts or elected officer's expenses.
- (2) The repayment of contributions.
- (3) Donations to any bona fide charitable, educational, civic, religious, or similar tax-exempt, nonprofit organization, where no substantial part of the proceeds will have a material financial effect on the former candidate or elected officer, any member of his or her immediate family, or his or her campaign treasurer.
- (4) Contributions to a political party committee, provided the campaign funds are not used to support or oppose candidates for elective office. However, the campaign funds may be used by a political party committee to conduct partisan voter registration, partisan get-out-the-vote activities, and slate mailers as that term is defined in Section 82048.3.
- (5) Contributions to support or oppose any candidate for federal office, any candidate for elective office in a state other than California, or any ballot measure.

The Senator Machado Legal Defense Fund intends to raise contributions only up to the amount of its outstanding debts and to cover its fundraising and other administrative expenses.

As of the last campaign disclosure report filed by the Senator Machado Legal Defense Fund, which covered the period January 1, 2005 through March 31, 2005, the fund has debts outstanding totaling \$112,648.61.

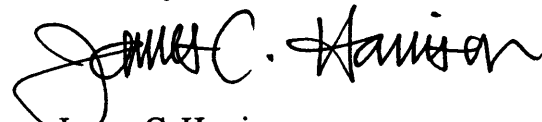
Federal Election Commission
May 10, 2005
Page 5

The fund has received \$5,200 in monetary contributions from individual donors (none of which was more than \$2,000), and \$66,000 in loans from the Democratic State Central Commission of California.²

In the event there are any funds left after payment of the legal defense fund's debts and administrative expenses, those funds will be returned to the donors on a pro-rata basis. In no event will legal defense funds be used to make contributions to local, state or federal candidates or committees.

Thank you for your consideration of this request for an advisory opinion. If you have any questions or would like any additional information, please contact me.

Sincerely,



James C. Harrison

JCH:NL

² Political parties may make unlimited contributions to state candidates under California's Political Reform Act.

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Karen Getman, *Of Counsel*

June 7, 2005

VIA FEDERAL EXPRESS

Brad Deutsch
Federal Election Commission
Office of General Counsel
999 "E" Street, N.W.
Washington, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
2005 JUN - 8 A 10: 19

Re: Request for Advisory Opinion: Application of 2 U.S.C. § 441b(a)
to Legal Defense Fund Established by California State
Senator Mike Machado

Dear Mr. Deutsch:

Enclosed please find copies of the following materials you requested in connection with California State Senator Mike Machado's request for advice: (1) California Form 410, Statement of Organization for Senator Machado Legal Defense Fund; (2) California Form 460, Recipient Committee Campaign Statement for Senator Machado Legal Defense Fund, for the periods 01/01/2004 - 12/31/2004 and 01/01/2005 - 03/31/2005; (3) Request for Dismissal filed in *Pruner v. Machado*; and (4) Final Judgment Pursuant to Stipulation and Stipulation for Entry of Judgment filed in *Fair Political Practices Commission v. Machado*.

As we discussed, Senator Machado settled the action filed by the Fair Political Practices Commission on August 30, 2004, by paying a fine of \$61,000, which was paid out of campaign funds. In addition, pursuant to the stipulation, Senator Machado also used campaign funds to refund several contributions.

On November 1, 2004, Senator Machado established a legal defense fund pursuant to California Government Code section 85304 by filing a statement of organization (California Form 410) with the Secretary of State's Office and with the Registrar of Voters in San Francisco and Los Angeles Counties. Under California law, no further action or approval is required to establish a legal defense fund.

Upon the resolution of the Fair Political Practices Commission action, the *Pruner* action was dismissed as moot on November 8, 2004. Both actions are now final. As permitted

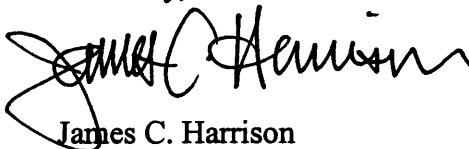
Brad Deutsch
Federal Election Commission
June 7, 2005
Page 2

by California Government Code section 85304, Senator Machado paid the *Pruner* plaintiff's attorneys' fees out of his legal defense fund.

This is also to confirm that a national bank has approached Senator Machado about making a contribution to his legal defense fund.

If you have additional questions about this matter, please contact me.

Sincerely,


James C. Harrison

JCH:NL
Enclosures

Statement of Organization
Recipient Committee

Type or print in ink

Statement Type ☒ Initial

Not yet qualified [] or

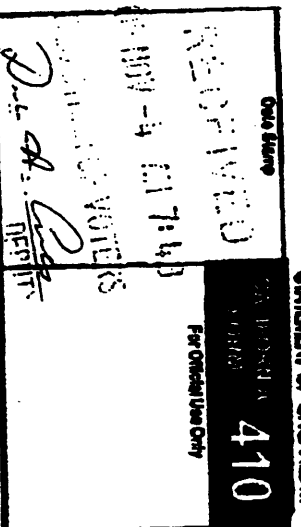
☐ Amendment
Amendment number:

☐ Termination - See Part B
Termination number:

Date qualified as committee

Date qualified as committee
if requalified

Date of Termination



1. Committee Information

NAME OF COMMITTEE

SENATOR NECHADE LEGAL DEFENSE FUND

STREET ADDRESS (NO P.O. BOX)
5551 Santa Monica Blvd., #504

CITY STATE ZIP CODE AREA CODE/PHONE

Los Angeles, CA 90069 323-655-6239

MAILING ADDRESS (IF DIFFERENT)

OPTIONAL FAX/E-MAIL ADDRESS

323-395-0519

COUNTY OF DOMICILE

COUNTY WHERE COMMITTEE IS ACTIVE (IF DIFFERENT
THAN COUNTY OF DOMICILE)

Los Angeles San Joaquin

Attach additional information on appropriately labeled continuation sheets

2. Treasurer and Other Principal Officers

NAME OF TREASURER

Dale Bonner

STREET ADDRESS

PO Box 3290 DATE ZIP CODE AREA CODE/PHONE

Stockton, CA 95203-0844 209-610-3983

NAME OF ASSISTANT TREASURER, IF ANY

STREET ADDRESS

CITY STATE ZIP CODE AREA CODE/PHONE

NAME AND POSITION OF OTHER PRINCIPAL OFFICER(S), IF APPLICABLE

MAILING ADDRESS

CITY STATE ZIP CODE AREA CODE/PHONE

3. Verification

I have used all reasonable diligence in preparing this statement and to the best of my knowledge the information contained herein is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on 10/22/2004 DATE

Executed on 11/1/04 DATE

Executed on DATE

Executed on DATE

www.nedffs.com

Statement of Organization
Recipient Committee

Type of petition

Statement Type ☒ Initial

Not yet qualified [] or

☐ Amendment
Let ID number:

☐ Termination - See Part 5
Let ID number:

Date qualified as committee
11/01/04

Date qualified as committee
(if applicable)

Date of Termination

1. Committee Information

NAME OF COMMITTEE

Senator Machado Legal Defense Fund

STREET ADDRESS (NO PO BOX)
8881 Santa Monica Blvd., #504

CITY STATE ZIP CODE AREA CODE/PHONE

X Hollywood, CA 90049

MAILING ADDRESS (IF DIFFERENT)

OPTIONAL: FAX/E-MAIL ADDRESS

323-395-0819
COUNTY OF DOMICILE

COUNTY WHERE COMMITTEE IS ACTIVE (IF DIFFERENT
THAN COUNTY OF DOMICILE)

Los Angeles

San Joaquin

Attach additional information on appropriately labeled continuation sheets.

3. Verification

I have used all reasonable diligence in preparing this statement and to the best of my knowledge the information contained herein is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on 11/1/04 DATE

Executed on 11/1/04 DATE

Executed on DATE

Executed on DATE

www.aedile.com

2. Treasurer and Other Principal Officers

NAME OF TREASURER

Dale Benner
STREET ADDRESS

PO Box 1390
CITY

STATE ZIP CODE

AREA CODE/PHONE

Stockton, CA 95201-0844

209-610-9583

NAME OF ASSISTANT TREASURER, IF ANY

STREET ADDRESS

CITY

STATE ZIP CODE

AREA CODE/PHONE

NAME AND POSITION OF OTHER PRINCIPAL OFFICER(S), IF APPLICABLE

MAILING ADDRESS

CITY

STATE ZIP CODE

AREA CODE/PHONE

By Machado Benner SIGNATURE OF TREASURER OR ASSISTANT TREASURER

By Machado Benner SIGNATURE OF CONTROLLING OFFICER(S), CANDIDATE, OR FORMER TREASURER

By Machado Benner SIGNATURE OF CONTROLLING OFFICER(S), CANDIDATE, OR FORMER TREASURER

By Machado Benner SIGNATURE OF CONTROLLING OFFICER(S), CANDIDATE, OR FORMER TREASURER

FPPC Form 410 (January)
FPPC Toll-Free Helpline: 800-454-4444

STATEMENT OF ORGANIZATION
CANDIDATE FOR OFFICE
NAME: Machado Benner
COUNTY: San Joaquin
OFFICE: 410
DATE: 11/01/04
FPPC FORM 410 (January)

Statement of Organization
Recipient Committee

Type of print in ink

Statement Type

☒ Initial

Not yet qualified [] or

☐ Amendment
List ID number:

☐ Termination - See Part 1
List ID number:

RECEIVED AND FILED
In the Office of the Secretary of State
of the State of California
NOV 10 8 2004

STATE OF CALIFORNIA
410

Date qualified as committee
11/01/04

Date qualified as committee
if extending

Date of termination

KEVIN SHELLEY, Secretary of State

1. Committee Information

NAME OF COMMITTEE

Senator Machado Legal Defense Fund

STREET ADDRESS (NO PO BOX)
8901 Santa Monica Blvd., #504

CITY STATE ZIP CODE AREA CODE/PHONE
N Hollywood, CA 90069 323-686-0339

MAILING ADDRESS (IF DIFFERENT)

OPTIONAL FAX/E-MAIL ADDRESS

323-325-0519
COUNTY WHERE COMMITTEE IS ACTIVE (IF DIFFERENT
THAN COUNTY OF DOMICILE)
San Diego

1-800-455-4545
COUNTY WHERE COMMITTEE IS ACTIVE (IF DIFFERENT
THAN COUNTY OF DOMICILE)
San Diego

Attach additional information on appropriately labeled continuation sheets.

2. Treasurer and Other Principal Officers

NAME OF TREASURER

Dale Bonner
STREET ADDRESS

PO Box 3390
CITY STATE ZIP CODE AREA CODE/PHONE
Brooklyn, CA 95301-0844 209-430-9943

NAME OF ASSISTANT TREASURER, IF ANY

STREET ADDRESS
CITY STATE ZIP CODE AREA CODE/PHONE

NAME AND POSITION OF OTHER PRINCIPAL OFFICERS, IF APPLICABLE

MAILING ADDRESS
CITY STATE ZIP CODE AREA CODE/PHONE

3. Verification

I have used all reasonable diligence in preparing this statement and to the best of my knowledge the information contained herein is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and complete.

Executed on 10/22/2004 DATE

Executed on 11/1/04 DATE

Executed on DATE

Executed on DATE

www.aedfha.com

By *Kevin Shelley* SECRETARY OF THE SECRETARY OF STATE
By *W. D. Bonner* SECRETARY OF THE SECRETARY OF STATE
By *W. D. Bonner* SECRETARY OF THE SECRETARY OF STATE
By *W. D. Bonner* SECRETARY OF THE SECRETARY OF STATE

PPC Form 470 (Jan03)
PPC Toll-Free Helpline: 800-455-4545

**Recipient Committee
Campaign Statement
Cover Page**
(Government Code Sections 84200-84216.1)

Type or print in ink.

Date Stamp

CALIFORNIA
NOTED
460
10000

Page 1 of 2
For Official Use Only

SEE INSTRUCTIONS ON REVERSE

Statement covers period
from 03/01/2004
through 12/31/2004

Date of election if applicable:
(Month, Day, Year)

1. Type of Recipient Committee: All committees - Complete parts 1, 2, 4, and 4.

- ☒ **Ordinance, Candidate Control Committee**
☐ **State Candidate Election Committee**
☐ **Race**
☐ **Political Party/Central Committee**
☐ **General Purpose Committee**
☐ **Sponsored**
☐ **Small Candidate Committee**
☐ **Political Party/Central Committee**
- ☐ **Ballot Measure Committee**
☐ **Primary Formed**
☐ **Controlled**
☐ **Sponsored**
☐ **Primary Formed Candidate/Ordinance Committee**

2. Type of Statement:

- ☐ **Preliminary Statement**
☒ **Final Statement**
☐ **Termination Statement**
☐ **Amendment (Explain below)**
☐ **Amended to correct reporting period**
☐ **Quantity Statement**
☐ **Special Odd-Year Report**
☐ **Supplemental Preliminary Statement - Attach Form 405**

3. Committee Information

COMMITTEE NAME (OR CANDIDATE NAME IF NO COMMITTEE)
Senator Machado Legal Defense Fund

LOG NUMBER
1272354

Treasurer(s)

NAME OF TREASURER

Date Entered

MAILING ADDRESS

PO Box 1290

CITY

Stockton, CA

STATE

ZIP CODE

AREA CODE/PHONE

209-510-9993

STREET ADDRESS (NO P.O. BOX)

6561 Santa Monica Blvd., #604

CITY

W Hollywood, CA

STATE

ZIP CODE

AREA CODE/PHONE

523-555-0335

MAILING ADDRESS (IF DIFFERENT) NO. AND STREET OR P.O. BOX

CITY

STATE

ZIP CODE

AREA CODE/PHONE

4. Verification

I have used all reasonable diligence in preparing and reviewing this statement and to the best of my knowledge the information contained herein and in the attached schedules is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Enrolled on 3/9/05

Enrolled on 3/9/05

Enrolled on

Enrolled on

WWW.DOFFILE.COM

PPIC Form 405 (January)
State of California

Campaign Disclosure Statement Summary Page

Type or print in ink.
Amounts may be rounded
to whole dollars.

SUMMARY PAGE

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

Senator Machado Legal Defense Fund

Statement covers period
from 01/01/2004
through 12/31/2004

CALIFORNIA
FORM
460

Page 3 of 3
I.D. NUMBER
1272154

Contributions Received

	Column A TOTAL THIS PERIOD (FROM ATTACHED SCHEDULES)	Column B CALENDAR YEAR TOTAL TO DATE
1. Monetary Contributions	Schedule A, Line 3 \$ 2,200.00	\$ 2,200.00
2. Loans Received	Schedule B, Line 3 \$ 66,000.00	\$ 66,000.00
3. SUBTOTAL CASH CONTRIBUTIONS	Add Lines 1 + 2 \$ 68,200.00	\$ 68,200.00
4. Nonmonetary Contributions	Schedule C, Line 3 \$ 0.00	\$ 0.00
5. TOTAL CONTRIBUTIONS RECEIVED	Add Lines 3 + 4 \$ 68,200.00	\$ 68,200.00

Calendar Year Summary for Candidates Running in Both the State Primary and General Elections

1/1 through 6/30 7/1 to Date

20. Contributions Received \$ _____ \$ _____

21. Expenditures Made \$ _____ \$ _____

Expenditures Made

6. Payments Made	Schedule E, Line 4 \$ 65,839.21	\$ 65,839.21
7. Loans Made	Schedule H, Line 3 \$ 0.00	\$ 0.00
8. SUBTOTAL CASH PAYMENTS	Add Lines 6 + 7 \$ 65,839.21	\$ 65,839.21
9. Accrued Expenses (Unpaid Bills)	Schedule F, Line 3 \$ 46,714.47	\$ 46,714.47
10. Nonmonetary Adjustment	Schedule G, Line 3 \$ 0.00	\$ 0.00
11. TOTAL EXPENDITURES MADE	Add Lines 8 + 9 + 10 \$ 112,553.68	\$ 112,553.68

Expenditure Limit Summary for State Candidates

22. Cumulative Expenditures Made*
(If Subject to Voluntary Expenditure Limit)

Date of Election (mm/dd/yy) _____ Total to Date \$ _____

Current Cash Statement

12. Beginning Cash Balance	Previous Summary Page, Line 16 \$ 0.00	\$ 0.00
13. Cash Receipts	Column A, Line 3 above \$ 68,200.00	\$ 68,200.00
14. Miscellaneous Increases to Cash	Schedule I, Line 4 \$ 112.00	\$ 112.00
15. Cash Payments	Column A, Line 8 above \$ 65,839.21	\$ 65,839.21
16. ENDING CASH BALANCE	Add Lines 12 + 13 + 14, then subtract Line 15 \$ 2,472.79	\$ 2,472.79

If this is a termination statement, Line 16 must be zero.

17. LOAN GUARANTEES RECEIVED

Schedule B, Part 2 \$ 0.00

Cash Equivalents and Outstanding Debts

18. Cash Equivalents	See instructions on reverse \$ 0.00	\$ 0.00
19. Outstanding Debts	Add Line 2 + Line 9 in Column B above \$ 112,714.47	\$ 112,714.47

To calculate Column B, add amounts in Column A to the corresponding amounts from Column B of your last report. Some amounts in Column A may be negative figures that should be subtracted from previous period amounts. If this is the first report being filed for the calendar year, only carry over the amounts from Lines 2, 7, and 9 (if any).

*Since January 1, 2001, amounts in this section may be different from amounts reported in Column B.

**Recipient Committee
Campaign Statement
Cover Page**

(Government Code Sections 84200-84218.5)

Type or print in ink.

Date Stamp

CALIFORNIA
2001/02
FORM
460

Page 1 of 10

For Official Use Only

SEE INSTRUCTIONS ON REVERSE

Statement covers period
from 07/01/2004
through 12/31/0804

Date of election if applicable:
(Month, Day, Year)

1. Type of Recipient Committee: All Committees - Complete Parts 1, 2, 3, and 4.

- ☒ Officer/endor, Candidate Controlled Committee
☒ State Candidate Election Committee
☐ Recall
(Also Complete Part 9)
☐ General Purpose Committee
☐ Sponsored
☐ Small Contributor Committee
☐ Political Party/Central Committee
- ☐ Batch Measure Committee
☐ Primarily Formed
☐ Controlled
☐ Sponsored
(Also Complete Part 9)
☐ Primarily Formed Candidate/
Officer/endor Committee
(Also Complete Part 7)

2. Type of Statement:

- ☐ Pre-election Statement
☒ Semi-annual Statement
☐ Termination Statement
☐ Amendment (Explain below)
- ☐ Quarterly Statement
☐ Special Odd-Year Report
☐ Supplemental Pre-election
Statement - Attach Form 495

3. Committee Information

I.D. NUMBER

COMMITTEE NAME (OR CANDIDATE'S NAME IF NO COMMITTEE)

Senator Machado Legal Defense Fund

Treasurer(s)

NAME OF TREASURER

Date Treasurer

MAILING ADDRESS

PO Box 1290

CITY

Stockton, CA 95201-0844

NAME OF ASSISTANT TREASURER, IF ANY

MAILING ADDRESS

STATE ZIP CODE

AREA CODE/PHONE

209-610-9983

STREET ADDRESS (NO P.O. BOX)

8581 Santa Monica Blvd., #504

CITY

W Hollywood, CA 90069

STATE ZIP CODE

AREA CODE/PHONE

323-656-0239

CITY

STATE ZIP CODE

AREA CODE/PHONE

OPTIONAL: FAX / E-MAIL ADDRESS

323-395-0519

OPTIONAL: FAX / E-MAIL ADDRESS

4. Verification

I have used all reasonable diligence in preparing and reviewing this statement and to the best of my knowledge this information contained herein and in the attached schedules is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

1/28/05

Executed on Date

1/28/05

Executed on Date

Executed on Date

Executed on Date

By

Signature of Controlling Officer/endor, Candidate, State Measure Proponent

www.netfile.com

FPPC Form 460 (January)
FPPC Toll-Free Helpline: 888/ASK-FPPC
State of California

Recipient Committee Campaign Statement Cover Page — Part 2

CALIFORNIA
FORM
460
Page 2 of 10

5. Officeholder or Candidate Controlled Committee

NAME OF OFFICEHOLDER OR CANDIDATE			
Hon Michael Machado			
OFFICE SOUGHT OR HELD (INCLUDE LOCATION AND DISTRICT NUMBER IF APPLICABLE)			
State Senator Senate District : 5			
RESIDENTIAL/BUSINESS ADDRESS (NO. AND STREET)		CITY	STATE
PO Box 1290 Stockton, CA 95201			
ZIP			

Related Committees Not Included in this Statement: List any committees not included in this statement that are controlled by you or are primarily formed to receive contributions or make expenditures on behalf of your candidacy.

COMMITTEE NAME	I.D. NUMBER
NAME OF TREASURER	CONTROLLED COMMITTEE? <input type="checkbox"/> YES <input type="checkbox"/> NO
COMMITTEE ADDRESS	STREET ADDRESS (NO P.O. BOX)
CITY	STATE ZIP CODE AREA CODE/PHONE
COMMITTEE NAME	I.D. NUMBER
NAME OF TREASURER	CONTROLLED COMMITTEE? <input type="checkbox"/> YES <input type="checkbox"/> NO
COMMITTEE ADDRESS	STREET ADDRESS (NO P.O. BOX)
CITY	STATE ZIP CODE AREA CODE/PHONE

6. Ballot Measure Committee

NAME OF BALLOT MEASURE	
BALLOT NO. OR LETTER	JURISDICTION
	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE

Identify the controlling officeholder, candidate, or state measure proponent, if any.

NAME OF OFFICEHOLDER, CANDIDATE, OR PROPONENT	DISTRICT NO. IF ANY
OFFICE SOUGHT OR HELD	

7. Primarily Formed Committee List names of officeholder(s) or candidate(s) for which this committee is primarily formed.

NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE
NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE
NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE
NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE

Attach continuation sheets if necessary

Campaign Disclosure Statement Summary Page

Type or print in ink.
Amounts may be rounded
to whole dollars.

SUMMARY PAGE

SEE INSTRUCTIONS ON REVERSE
NAME OF FILER
Senator Cor Machado Legal Defense Fund

Statement covers period
from 01/01/2004
through 12/31/2004

CALIFORNIA
FORM 460
Page 3 of 10
I.D. NUMBER

Contributions Received

	Column A TOTAL THE PERIOD (FROM ATTACHED SCHEDULES)	Column B CALENDAR YEAR TOTAL TO DATE
1. Monetary Contributions	Schedule A, Line 3 2,200.00	2,200.00
2. Loans Received	Schedule B, Line 3 66,000.00	66,000.00
3. SUBTOTAL CASH CONTRIBUTIONS	Add Lines 1 + 2 68,200.00	68,200.00
4. Nonmonetary Contributions	Schedule C, Line 3 0.00	0.00
5. TOTAL CONTRIBUTIONS RECEIVED	Add Lines 3 + 4 68,200.00	68,200.00

Calendar Year Summary for Candidates Running in Both the State Primary and General Elections

	1/1 through 6/30	7/1 to Date
20. Contributions Received	\$ 0.00	\$ 68,200.00
21. Expenditures Made	\$ 0.00	\$ 112,553.68

Expenditures Made

6. Payments Made	Schedule E, Line 4 65,839.21	65,839.21
7. Loans Made	Schedule H, Line 3 0.00	0.00
8. SUBTOTAL CASH PAYMENTS	Add Lines 6 + 7 65,839.21	65,839.21
9. Accrued Expenses (Unpaid Bills)	Schedule F, Line 3 46,714.47	46,714.47
10. Nonmonetary Adjustment	Schedule G, Line 3 0.00	0.00
11. TOTAL EXPENDITURES MADE	Add Lines 8 + 9 + 10 112,553.68	112,553.68

Expenditure Limit Summary for State Candidates

22. Cumulative Expenditures Made*
(If Subject to Voluntary Expenditure Limit)

Date of Election (mm/dd/yy)	Total to Date
/ /	\$
/ /	\$
/ /	\$
/ /	\$
/ /	\$
/ /	\$
/ /	\$

*Since January 1, 2001, amounts in this section may be different from amounts reported in Column B.

To calculate Column B, add amounts in Column A to the corresponding amounts from Column B of your last report. Some amounts in Column A may be negative figures that should be subtracted from previous period amounts. If this is the first report being filed for this calendar year, only carry over the amounts from Lines 2, 7, and 9 (if any).

Current Cash Statement

12. Beginning Cash Balance	Previous Summary Page, Line 16 0.00
13. Cash Receipts	Column A, Line 3 above 68,200.00
14. Miscellaneous Increases to Cash	Schedule I, Line 4 112.00
15. Cash Payments	Column A, Line 8 above 65,839.21
16. ENDING CASH BALANCE	Add Lines 12 + 13 + 14, then subtract Line 15 2,472.79

If this is a termination statement, Line 16 must be zero.

Cash Equivalents and Outstanding Debts

17. LOAN GUARANTEES RECEIVED	Schedule B, Part 2 0.00
18. Cash Equivalents	See instructions on reverse 0.00
19. Outstanding Debts	Add Line 2 + Line 9 in Column B above 112,714.47

www.netfile.com

FPPC Form 460 (June/01)
FPPC Toll-Free Helpline: 866/ASK-FPPC

Type or print in ink.
Amounts may be rounded
to whole dollars.

EXERCISE A

CALIFORNIA
FORM
460

Statement covers period
from 01/01/2004
through 12/31/2004

Page 4 of 10

Senator Machado Legal Defense Fund

DATE RECEIVED	FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR <small>(IF COMMITTEE ALSO ENTER ID NUMBER)</small>	CONTRIBUTOR CODE *	IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER <small>(IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)</small>	AMOUNT RECEIVED THIS PERIOD	CUMULATIVE TO DATE CALENDAR YEAR <small>(JAN. 1 - DEC. 31)</small>	PER ELECTION TO DATE <small>(IF REQUIRED)</small>
11/23/2006	California Assn. of Community Managers (#983694) 2171 Campus Drive, Ste. 260 Irvine, CA 92612	<input type="checkbox"/> IND <input checked="" type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SOC		500.00	500.00	
11/15/2006	Western Hub Properties, LLC & Affiliated Entities/Lodi Gas Storage 14611 St. Mary's Lane, Ste. 150 Houston, TX 77079	<input type="checkbox"/> IND <input type="checkbox"/> COM <input checked="" type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SOC		1,700.00	1,700.00	
		<input type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SOC				
		<input type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SOC				
		<input type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SOC				
		<input type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SOC				
SUBTOTAL \$				2,200.00		

5. Amount received this period – contributions of \$100 or more.
(include all Schedule A subtotals).....

2 Amount received this period - unitemized contributions of less than \$100 \$ 0.00

3. Total monetary contributions received this period.

(Add Lines 1 and 2. Enter here and on the Summary Page, Column A, Line 1.) **TOTAL \$** 2,200.00

www.nettle.com

FPPC Form 460 (June 01)
FPPC Toll-Free Helpline: 866/ASK-FPPC

Schedule B - Part 1 Loans Received

Type or print in ink.
Amounts may be rounded
to whole dollars.

SCHEDULE B-PART 1

CALIFORNIA
FORM
460

Statement covers period
from 01/01/2004
through 12/31/2004

Page 5 of 10
I.D. NUMBER

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

Senator: Machado Legal Defense Fund

FULL NAME, STREET ADDRESS AND ZIP CODE (IF CONTRIBUTOR, ALSO ENTER I.D. NUMBER)	IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	OUTSTANDING BALANCE BEGINNING THIS PERIOD	AMOUNT RECEIVED THIS PERIOD	AMOUNT PAID OR FORGIVEN THIS PERIOD *	OUTSTANDING BALANCE AT CLOSE OF THIS PERIOD	INTEREST PAID THIS PERIOD	ORIGINAL AMOUNT OF LOAN	CUMULATIVE CONTRIBUTIONS TO DATE
Democratic State Central Committee of California-SOM (#741666) 1401 - 21st Street, Ste. 100 Sacramento, CA 95814		0.00	20,000.00	PAID 0.00 FORGIVEN 0.00	20,000.00	0.00	20,000.00	CALENDAR YEAR PER ELECTION**
Democratic State Central Committee of California-SOM (#741666) 1401 - 21st Street, Ste. 100 Sacramento, CA 95814		0.00	46,000.00	PAID 0.00 FORGIVEN 0.00	46,000.00	0.00	46,000.00	CALENDAR YEAR PER ELECTION**
IND COM OTH <input checked="" type="checkbox"/> PTY SCC				PAID FORGIVEN	DATE DUE	RATE %	DATE INCURRED	CALENDAR YEAR PER ELECTION**
IND COM OTH <input type="checkbox"/> PTY SCC				PAID FORGIVEN	DATE DUE	RATE %	DATE INCURRED	CALENDAR YEAR PER ELECTION**
IND COM OTH <input type="checkbox"/> PTY SCC				PAID FORGIVEN	DATE DUE	RATE %	DATE INCURRED	CALENDAR YEAR PER ELECTION**
SUBTOTALS \$ 66,000.00 \$ 0.00 \$ 66,000.00 0.00								

Schedule B Summary

- Loans received this period..... \$ 66,000.00
(Total Column (b) plus unitemized loans less than \$100.)
- Loans paid or forgiven this period..... \$ 0.00
(Total Column (c) plus loans under \$100 paid or forgiven.)
(Include loans paid by a third party that are also itemized on Schedule A.)
- Net change this period. (Subtract Line 2 from Line 1.)..... NET \$ 66,000.00
Enter the net here and on the Summary Page, Column A, Line 2. (May be a negative number)

*Amounts forgiven or paid by
another party also must be
reported on Schedule A.
** If required.

Contributor Codes
IND - Individual COM - Recipient Committee (other than PTY or SCC) OTH - Other PTY - Political Party SCC - Small Contributor Committee
www.naffile.com

FFPC Form 460 (June/01)
FFPC Toll-Free Helpline: 800/ASK-FFPC

Schedule E Payments Made

Type or print in ink.
Amounts may be rounded
to whole dollars.

SCHEDULE E

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER
Senator Machado Legal Defense Fund

Statement covers period
from 01/01/2004
through 12/31/2004

CALIFORNIA
FORM
Page 6 of 10
I.D. NUMBER

CODES: If one of the following codes accurately describes the payment, you may enter the code. Otherwise, describe the payment.

CMP campaign paraphernalia/misc.	MBR member communications	RAD radio airtime and production costs
CNS campaign consultants	MTG meetings and appearances	RFD returned contributions
CTB contribution (explain nonmonetary)*	OFC office expenses	SAL campaign workers' salaries
CVC civic donations	PEI petition circulating	TE tv or cable airtime and production costs
FL candidate filing/balot fees	PHD phone banks	TTC candidate travel, lodging, and meals
FND fundraising events	POL polling and survey research	TFS staff/spouse travel, lodging, and meals
ND independent expenditure supporting/opposing others (explain)*	POS postage, delivery and messenger services	TSE transfer between committees of the same candidate/sponsor
LEG legal defense	PRO professional services (legal, accounting)	VOT voter registration
LT campaign literature and mailings	PRT print ads	WEB information technology costs (internet, e-mail)

NAME AND ADDRESS OF PAYEE (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CODE	OR	DESCRIPTION OF PAYMENT	AMOUNT PAID
ML Associates, LLC 8581 Santa Monica Blvd., #504 Los Angeles CA 90069	PRO			100.00
ML Associates, LLC 8581 Santa Monica Blvd., #504 Los Angeles CA 90069	PRO			306.25
ML Associates, LLC 8581 Santa Monica Blvd., #504 Los Angeles CA 90069	OFC			17.96
SUBTOTAL \$				424.21

* Payments that are contributions or independent expenditures must also be summarized on Schedule D.

Schedule E Summary

1. Payments made this period of \$100 or more. (Include all Schedule E subtotals.) \$ 65,927.21
2. Unitemized payments made this period of under \$100 \$ 12.00
3. Total interest paid this period on loans. (Enter amount from Schedule B, Part 1, Column (e).) \$ 0.00
4. Total payments made this period. (Add Lines 1, 2, and 3. Enter here and on the Summary Page, Column A, Line 6.) **TOTAL \$ 65,939.21**

www.netfile.com

FPPC Form 460 (June/01)
FPPC Toll-Free Helpline: 866/ASIK-FPPC

Type or print in ink.
Amounts may be rounded

SCHEDULE F
460

Statement covers period
from 01/01/2004
through 12/31/2004

SCHEDULE
CALIFORNIA
FORM
460
Page 7 **of** 10
I.D. NUMBER

Page 7 of 10
I.D. NUMBER _____

CAF	campaign paraphernalia/misc.	MBR	member communications	RAD	radio airtime and production costs
CNS	campaign consultants	MTG	meetings and appearances	REF	returned contributions
CTB	contribution (explain nonmonetary)*	OFC	office expenses	SAL	campaign workers' salaries
CVC	civic donations	FET	petition circulating	TEL	t.v. or cable airtime and production costs
FL	candidate filing/bailot fees	FHO	phone banks	TRC	candidate travel, lodging, and meals
FND	fundraising events	POL	polling and survey research	TRS	staff/spouse travel, lodging, and meals
IND	independent expenditures supporting/opposing others (explain)*	POS	postage, delivery and messenger services	TSF	transfer between committees of the same candidate/sponsor
LEG	legal defense	PRO	professional services (legal, accounting)	VOT	voter registration
LIT	campaign literature and mailings	PRT	print ads	WEB	information technology costs (Internet, e-mail)

NAME AND ADDRESS OF PAYEE (IF COMMITTEE, ALSO ENTER ID NUMBER)	CODE OR	DESCRIPTION OF PAYMENT	AMOUNT PAID
O'Leary, Daniel & Pishburn 555 Capitol Mall, Ste. 1425 Sacramento CA 95814	LBO		45,403.00
Sweeney, Davidian & Greene LLP 8001 Polson Blvd., Ste. 101 Sacramento CA 95826		Per Settlement Agreement	20,000.00
SUBTOTAL \$			65,403.00

FPPC Form 460 (June/01)
FPPC Toll-Free Helpline: 866/ASK-FPPC

Schedule F Accrued Expenses (Unpaid Bills)

Type or print in ink.
Amounts may be rounded
to whole dollars.

SCHEDULE F

Statement covers period
from 01/01/2004
through 12/31/2004

CALIFORNIA
FORM
460

Page 8 of 10

SEE INSTRUCTIONS ON REVERSE

ID NUMBER

NAME OF FILER
Senator Machado Legal Defense Fund

CODES: If one of the following codes accurately describes the payment, you may enter the code. Otherwise, describe the payment.

CAP campaign paraphernalia/misc.
 CNS campaign consultants
 CTB contribution (explain nonmonetary)*
 CVC civic donations
 FL candidate filing/pollster fees
 FND fundraising events
 FND independent expenditure supporting/opposing others (explain)*
 LEG legal defense
 LT campaign literature and mailings
 MBR member communications
 MTS meetings and appearances
 OFC office expenses
 PET petition circulating
 PHD phone banks
 POL polling and survey research
 POS postage, delivery and messenger services
 PRO professional services (legal, accounting)
 PRT print ads
 RAD radio airtime and production costs
 RFD returned contributions
 SAL campaign workers' salaries
 TEL tv, or cable airtime and production costs
 TRC candidate travel, lodging, and meals
 TRS staff/spouse travel, lodging, and meals
 TSF transfer between committees of the same candidate/sponsor
 VOT voter registration
 WEB information technology costs (internet, e-mail)

NAME AND ADDRESS OF CREDITOR (IF COMMITTEE, ALSO ENTER ID NUMBER)	CODE OR DESCRIPTION OF PAYMENT	(a) OUTSTANDING BALANCE BEGINNING OF THIS PERIOD	(b) AMOUNT INCURRED THIS PERIOD	(c) AMOUNT PAID THIS PERIOD (ALSO REPORT ON E)	(d) OUTSTANDING BALANCE AT CLOSE OF THIS PERIOD
MT Associates, LLC 8581 Santa Monica Blvd., #504 Los Angeles CA 90069	OPC	0.00	14.86	0.00	14.86
MT Associates, LLC 8581 Santa Monica Blvd., #504 Los Angeles CA 90069	PRO	0.00	110.50	0.00	110.50
MT Associates, LLC 8581 Santa Monica Blvd., #504 Los Angeles CA 90069	PRO	0.00	156.50	0.00	156.50
SUBTOTALS \$		0.00 \$	261.86 \$	0.00 \$	261.86

* Payments that are contributions or independent expenditures must also be summarized on Schedule D.

Schedule F Summary

- Total accrued expenses incurred this period. (Include all Schedule F, Column (b) subtotals for accrued expenses of \$100 or more, plus total unitemized accrued expenses under \$100.)..... **INCURRED TOTALS \$ 46,714.47**
- Total accrued expenses paid this period. (Include all Schedule F, Column (c) subtotals for payments on accrued expenses of \$100 or more, plus total unitemized payments on accrued expenses under \$100.)..... **PAID TOTALS \$ 0.00**
- Net change this period. (Subtract Line 2 from Line 1. Enter the difference here and on the Summary Page, Column A, Line 9.)..... **NET \$ 46,714.47**

www.netfile.com

FPPC Form 460 (June/01)
FPPC Toll-Free Helpline: 866/ASK-FPPC

**Type or print in ink.
Amounts may be rounded
to whole dollars.**

Senator Machado Legal Defense Fund

Statement covers period
from 01/01/2004
through 12/31/2004

SCHEDULE
CALIFORNIA
FORM
460

Page 10 of 10**I.D. NUMBER**

Attach additional information on appropriately labeled continuation sheets

SUBTOTAL \$

100.00

1. Increases to cash of \$100 or more this period.	\$	<u>100.00</u>
2. Unitemized increases to cash under \$100 this period.	\$	<u>12.00</u>
3. Total of all interest received this period on loans made to others. (Schedule H, Column (e)).	\$	<u>0.00</u>
4. Total miscellaneous increases to cash this period. (Add Lines 1, 2, and 3. Enter here and on the Summary Page, Line 14.)	TOTAL \$	<u>112.00</u>

TOTAL \$ 112.00

112.00

www.netfile.com

FPPC Form 480 (June/01)
FPPC Toll-Free Helpline: 866/ASK-FPPC

**Recall Committee
Campaign Statement
Cover Page**

(Government Code Sections 64200-64216.5)

Type or print in ink.

Date Stamp

COVER PAGE
460

SEE INSTRUCTIONS ON REVERSE

Statement covers period
from 01/01/2005
through 03/23/2005

Date of election if applicable:
(Month, Day, Year)

Page 1 of 12
For Official Use Only

1. Type of Recall Committee: All committees - Complete Parts 1, 2, 3, and 4

- ☒ Orchestrator, Candidate Controlled Committee
☐ State Candidate Election Committee
☐ Recall
☐ (Also Complete Part 9)
☐ General Purpose Committee
☐ Sponsored
☐ Small Contributor Committee
☐ Political Party/Central Committee
☐ Primary/Funded Candidate/
Orchestrator Committee
☐ (Also Complete Part 7)

2. Type of Statement:

- ☐ Protection Statement
☐ Semi-Annual Statement
☐ Termination Statement
☐ (Also file a Form 410 Termination)
☐ Amendment (Explain below)
☐ Quarterly Statement
☐ Special Odd-Year Report
☐ Supplemental Protection
Statement - Attach Form 405

3. Committee Information

COMMITTEE NAME (OR CANDIDATE'S NAME IF NO COMMITTEE)
Senator Machado Legal Defense Fund

I.O. NUMBER
1222154

Treasurer(s)

NAME OF TREASURER

DATE BUREAU
MAILING ADDRESS

STREET ADDRESS (NO P.O. BOX)

2521 Santa Monica Blvd., #304

CITY STATE ZIP CODE

AREA CODE/PHONE

MAILING ADDRESS (IF DIFFERENT) NO. AND STREET OR P.O. BOX

222-555-0229

MAILING ADDRESS

NO. BOX 1280

CITY STATE ZIP CODE

AREA CODE/PHONE

CITY

STATE ZIP CODE

AREA CODE/PHONE

OPTIONAL: FAX / E-MAIL ADDRESS

OPTIONAL: FAX / E-MAIL ADDRESS

222-235-0819

4. Verification

I have used all reasonable diligence in preparing and reviewing this statement and to the best of my knowledge the information contained herein and in the attached schedules is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on 05/03/2005

by

Executed on 05/03/2005

by

Executed on

by

Executed on

by

Signature of Candidate/Committee Treasurer, State Treasurer/Proposed

Signature of Candidate/Committee Treasurer, State Treasurer/Proposed

PPPO Form 400 (January 2005)
PPPO Toll-Free Number: 800-444-PPPO (7776)
State of California

**Recipient Committee
Campaign Statement
Cover Page — Part 2**

Type or print in ink.

COVER PAGE - PART 2
CALIFORNIA
FORM **460**
Page 2 of 12

5. Officeholder or Candidate Controlled Committee

NAME OF OFFICEHOLDER OR CANDIDATE
Hon Michael Machado

OFFICE SOUGHT OR HELD (INCLUDE LOCATION AND DISTRICT NUMBER IF APPLICABLE)
State Senator
Senate District 15

RESIDENTIAL/BUSINESS ADDRESS (NO. AND STREET) CITY STATE ZIP
PO Box 1290 Stockton, CA 95201

Related Committees Not Included in this Statement: List any committees not included in this statement that are controlled by you or are primarily formed to receive contributions or make expenditures on behalf of your candidacy.

COMMITTEE NAME	LD. NUMBER
NAME OF TREASURER	CONTROLLED COMMITTEE? <input type="checkbox"/> YES <input type="checkbox"/> NO
COMMITTEE ADDRESS	STREET ADDRESS (NO P.O. BOX)
CITY	STATE ZIP CODE AREA CODE/PHONE
COMMITTEE NAME	LD. NUMBER
NAME OF TREASURER	CONTROLLED COMMITTEE? <input type="checkbox"/> YES <input type="checkbox"/> NO
COMMITTEE ADDRESS	STREET ADDRESS (NO P.O. BOX)
CITY	STATE ZIP CODE AREA CODE/PHONE

6. Primarily Formed Ballot Measure Committee

NAME OF BALLOT MEASURE

BALLOT NO. OR LETTER	JURISDICTION	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE
Identify the controlling officeholder, candidate, or state measure proponent, if any.		

NAME OF OFFICEHOLDER, CANDIDATE, OR PROPONENT

OFFICE SOUGHT OR HELD	DISTRICT NO. IF ANY

7. Primarily Formed Candidate/Officeholder Committee List names of officeholder(s) or candidate(s) for which this committee is primarily formed.

NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE
NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE
NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE
NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE

Attach continuation sheets if necessary.

Campaign Disclosure Statement Summary Page

Type or print in ink.
Amounts may be rounded
to whole dollars.

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

Senator Machado Legal Defense Fund

Statement covers period
from 01/01/2005
through 03/31/2005

CALIFORNIA
FORM
460

Page 3 of 12
I.D. NUMBER
1272154

Contributions Received

	Column A Total the net production schedules	Column B CUMULATIVE TOTAL TO DATE
1. Monetary Contributions	Schedule A, Line 3 \$ 3,000.00	\$ 3,000.00
2. Loans Received	Schedule B, Line 3 0.00	66,000.00
3. SUBTOTAL CASH CONTRIBUTIONS	Add Lines 1 + 2 \$ 3,000.00	\$ 69,000.00
4. Nonmonetary Contributions	Schedule C, Line 3 0.00	0.00
5. TOTAL CONTRIBUTIONS RECEIVED	Add Lines 3 + 4 \$ 3,000.00	\$ 69,000.00

Expenditures Made

6. Payments Made	Schedule E, Line 4 \$ 3,076.37	\$ 3,076.37
7. Loans Made	Schedule H, Line 3 0.00	0.00
8. SUBTOTAL CASH PAYMENTS	Add Lines 6 + 7 \$ 3,076.37	\$ 3,076.37
9. Accrued Expenses (Unpaid Bills)	Schedule F, Line 3 -55.86	46,648.61
10. Nonmonetary Adjustment	Schedule G, Line 3 0.00	0.00
11. TOTAL EXPENDITURES MADE	Add Lines 8 + 9 + 10 \$ 3,020.51	\$ 49,724.98

Current Cash Statement

12. Beginning Cash Balance	Previous Summary Page, Line 10 \$ 2,472.78	
13. Cash Receipt	Column A, Line 3 above 3,000.00	
14. Miscellaneous Increases to Cash	Schedule I, Line 4 0.00	
15. Cash Payments	Column A, Line 6 above 3,076.37	
16. ENDING CASH BALANCE	Add Lines 12 + 13 + 14, then subtract Line 15 \$ 2,396.42	

If this is a termination statement, Line 16 must be zero.

17. LOAN GUARANTEES RECEIVED	Schedule B, Part 2 \$ 0.00
------------------------------------	----------------------------

Cash Equivalents and Outstanding Debts

18. Cash Equivalents	See instructions on reverse \$ 0.00
19. Outstanding Debts	Add Lines 2 + Line 9 in Column B above \$ 332,648.61

Calendar Year Summary for Candidates Running in Both the State Primary and General Elections

20. Contributions Received	1/1 through 6/30 \$ _____	7/1 to Date \$ _____
21. Expenditures Made	\$ _____	\$ _____

Expenditure Limit Summary for State Candidates

22. Cumulative Expenditures Made*
(if subject to Voluntary Expenditure Limit)
Date of Election _____ Total to Date
(mm/dd/yyyy) _____

*Amounts in this section may be different from amounts reported in Column B.

Type or print in Ink.
Amounts may be rounded
to whole dollars

References

Statement covers period
from 02/02/2005
through 03/31/2005

CALIFORNIA
FORTY
460

Page 4 of 12

LD. NUMBER
1272154

DATE RECEIVED	FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER ID, NAME)	CONTRIBUTOR CODE *	IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	AMOUNT RECEIVED THIS PERIOD	CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31)	PER ELECTION TO DATE (IF REQUIRED)
02/01/2005	CA Beer & Beverage Distributors Community Affiliates (#761487) 1 Capitol Mall, Ste. 230 Sacramento, CA 95814	<input type="checkbox"/> IND <input checked="" type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC		1,000.00	1,000.00	
03/23/2005	Geo Group, Inc., The 621 NW 53rd St. Boca Raton, FL 33487	<input type="checkbox"/> IND <input type="checkbox"/> COM <input checked="" type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC		2,000.00	2,000.00	
		<input type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC				
		<input type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC				
		<input type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC				

Schedule A Summary

- | | | |
|---|-----------------|-----------------|
| 1. Amount received this period – itemized monetary contributions.
(Include all Schedule A subtotals), | \$ | 3,000.00 |
| 2. Amount received this period – unitemized monetary contributions of less than \$100 | \$ | 0.00 |
| 3. Total monetary contributions received this period.
(Add Lines 1 and 2. Enter here and on the Summary Page, Column A, Line 1.) | TOTAL \$ | 3,000.00 |

***Contributor Codes**
IND – Individual
COM – Recipient Committee
 (other than PTY or SCC)
OTH – Other (e.g., business entity)
PTY – Political Party
SCC – Small Contributor Committee

Schedule B - Part 1
Loans Received

Type or print in ink.
Amounts may be rounded
to whole dollars.

Statement covers period
from 01/01/2005
through 03/31/2005

SCHEDULE B - PART 1
CALIFORNIA FORM 460
Page 5 of 12
ID. NUMBER 1272154

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

Senator Machado Legal Defense Fund

FULL NAME, STREET ADDRESS AND ZIP CODE OF LENDER (IF COMMITTEE, ALSO ENTER ID. NUMBER)	IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF CORPORATION, ENTER NAME OF BUSINESS)	(a) OUTSTANDING BALANCE BEGINNING THIS PERIOD	(b) AMOUNT RECEIVED THIS PERIOD	(c) AMOUNT PAID OR FORGIVEN THIS PERIOD*	(d) OUTSTANDING BALANCE AT CLOSE OF THIS PERIOD	(e) INTEREST PAID THIS PERIOD	(f) ORIGINAL AMOUNT OF LOAN	(g) QUANTITATIVE CONTRIBUTIONS TO DATE
Democratic State Central Committee of California-SOW (#741666) 1401 - 21st Street, Ste. 100 Sacramento, CA 95814		\$ 20,000.00	\$ 0.00	<input type="checkbox"/> PAID 0.00 <input type="checkbox"/> FORGIVEN 0.00	\$ 20,000.00 12/31/2004 DATE DUE	RATE 0.00 %	\$ 20,000.00 11/04/2004 DATE INCURRED	CALENDAR YEAR PER ELECTION** 0.00
Democratic State Central Committee of California-SOW (#741666) 1401 - 21st Street, Ste. 100 Sacramento, CA 95814		\$ 46,000.00	\$ 0.00	<input type="checkbox"/> PAID 0.00 <input type="checkbox"/> FORGIVEN 0.00	\$ 46,000.00 DATE DUE	RATE 0.00 %	\$ 46,000.00 12/29/2004 DATE INCURRED	CALENDAR YEAR PER ELECTION** 0.00
<input type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input checked="" type="checkbox"/> PTY <input type="checkbox"/> SCC		\$	\$	<input type="checkbox"/> PAID <input type="checkbox"/> FORGIVEN	DATE DUE	RATE %	DATE INCURRED	CALENDAR YEAR PER ELECTION**
<input type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC		\$	\$	<input type="checkbox"/> PAID <input type="checkbox"/> FORGIVEN	DATE DUE	RATE %	DATE INCURRED	CALENDAR YEAR PER ELECTION**
SUBTOTALS \$ 0.00 \$ 0.00 \$ 66,000.00 \$ 0.00								

Schedule B Summary

1. Loans received this period \$ 0.00
(Total Column (b) plus unitemized loans of less than \$100.)
2. Loans paid or forgiven this period \$ 0.00
(Total Column (c) plus loans under \$100 paid or forgiven.)
(Include loans paid by a third party that are also itemized on Schedule A.)
3. Net change this period. (Subtract Line 2 from Line 1.) NET \$ 0.00
Enter the net here and on the Summary Page, Column A, Line 2.
(May be a negative number)

Contributor Codes
IND - Individual
COM - Recipient Committee
(other than PTY or SCC)
OTH - Other (e.g., business entity)
PTY - Political Party
SCC - Small Contributor Committee

*Amounts forgiven or paid by another party also must be reported on Schedule A.
** If required.

Schedule E Payments Made

Type or print in ink.
Amounts may be rounded
to whole dollars.

SCHEDULE
CALIFORNIA
FORM
460

SEE INSTRUCTIONS ON REVERSE
NAME OF FILER

Senator Machado Legal Defense Fund

Statement covers period
from 01/01/2005
through 03/31/2005

Page 6 of 12
I.D. NUMBER
1272154

CODES: If one of the following codes accurately describes the payment, you may enter this code. Otherwise, describe the payment.

- | | | |
|--|---|---|
| CAP campaign paraphernalia/misc. | MER member communications | RAD radio airtime and production costs |
| CNS campaign consultants | MTG meetings and appearances | RFD returned contributions |
| CTB contribution (explain nonmonetary)* | OFC office expenses | SAL campaign workers' salaries |
| CVC civic donations | PEI petition circulating | TEL tv, or cable airtime and production costs |
| FL candidate fly/dialist fees | PHD phone banks | TRC candidate travel, lodging, and meals |
| RND fundraising events | POL polling and survey research | TRS staff/pouse travel, lodging, and meals |
| ND independent expenditure supporting/opposing others (explain)* | POS postage, delivery and messenger services | TSF transfer between committees of the same candidate/sponsor |
| LEG legal defense | PRO professional services (legal, accounting) | VOT voter registration |
| LT campaign literature and mailings | PRT print ads | WEB information technology costs (internet, e-mail) |

NAME AND ADDRESS OF PAYEE (# COMMITTEE, ALSO ENTER I.D. NUMBER)	CODE OR	DESCRIPTION OF PAYMENT	AMOUNT PAID
ML Associates, LLC 8581 Santa Monica Blvd., #504 Los Angeles CA 90069	OFC		14.86
ML Associates, LLC 8581 Santa Monica Blvd., #504 Los Angeles CA 90069	PRO		110.50
Monica Cisneros dba Animo 3580 Pacifica Lane Blk Grove CA 95758	CNS		525.00
SUBTOTAL \$			650.36

* Payments that are contributions or independent expenditures must also be summarized on Schedule D.

Schedule E Summary

- Itemized payments made this period. (Include all Schedule E subtotals) \$ 2,902.09
- Unitemized payments made this period of under \$100 \$ 174.28
- Total interest paid this period on loans. (Enter amount from Schedule B, Part 1, Column (e)) \$ 0.00
- Total payments made this period. (Add Lines 1, 2, and 3. Enter here and on the Summary Page, Column A, Line 6.) **TOTAL \$ 3,076.37**

**Schedule E
(Continuation Sheet)
Payments Made**

Type or print in ink.
Amounts may be rounded
to whole dollars.

SCHEDULE E (CONT.)

SEE INSTRUCTIONS ON REVERSE
NAME OF FILER

Senator Machado Legal Defense Fund

Statement covers period from 01/01/2005 through 03/31/2005		CALIFORNIA FORM 460
Page 7 of 12		LD NUMBER 1272154

CODES: If one of the following codes accurately describes the payment, you may enter the code. Otherwise, describe the payment.

- | | | |
|--|---|---|
| CAP campaign paraphernalia/misc | MEM member communications | RAD radio airtime and production costs |
| CAS campaign consultants | MTO meetings and appearances | RFD returned contributions |
| CTB contribution (explain nonmonetary)* | OFC office expenses | SAL campaign workers' salaries |
| CVC other donations | PET petition circulating | TEL t.v. or cable airtime and production costs |
| FL candidate filing/balot fees | PHD phone banks | TTC candidate travel, lodging, and meals |
| ND fundraising events | POL polling and survey research | TRS staff/spouse travel, lodging, and meals |
| ND independent expenditure supporting/opposing others (explain)* | POS postage, delivery and messenger services | TSF transfer between committees of the same candidate/sponsor |
| LEG legal defense | PRO professional services (legal, accounting) | VOT voter registration |
| LT campaign literature and mailings | PRT print ads | WEB information technology costs (internet, e-mail) |

NAME AND ADDRESS OF PAYEE OF CONTRIBUTOR, ALSO ENTRY ID NUMBER	CODE	OR	DESCRIPTION OF PAYMENT	AMOUNT PAID
ML Associates, LLC 8581 Santa Monica Blvd., #504 Los Angeles CA 90069	PRO			156.50
ML Associates, LLC 8581 Santa Monica Blvd., #504 Los Angeles CA 90069	OFC			3.20
ML Associates, LLC 8581 Santa Monica Blvd., #504 Los Angeles CA 90069	PRO			351.25
Truman Club of Stockton (#1269373) 3121 W. March Lane, Ste. 100 Stockton CA 95219	OFC			100.00
ML Associates, LLC 8581 Santa Monica Blvd., #504 Los Angeles CA 90069	OFC			10.10

* Payments that are contributions or independent expenditures must also be summarized on Schedule D.

SUBTOTAL \$ 621.05

Schedule E (Continuation Sheet) Payments Made

Type or print in ink.
Amounts may be rounded
to whole dollars.

SCHEDULE E (CONT.)

SEE INSTRUCTIONS ON REVERSE
NAME OF FILER

Senator Machado Legal Defense Fund

Statement covers period
from 01/01/2005
through 03/31/2005

CALIFORNIA
FORM

460

Page 8 of 12

LD NUMBER

1272154

CODES: If one of the following codes accurately describes the payment, you may enter the code. Otherwise, describe the payment.

CAP campaign paraphernalia/merch.
CNS campaign consultants
CTB contribution (explain nonmonetary)*
CVC civic donations
FL candidate filing/balot fees
RND fundraising events
ND independent expenditure supporting/opposing others (explain)*
LEG legal defense
LT campaign literature and mailings

MR member communications
MTG meetings and appearances
OPC office expenses
PET petition circulating
PHD phone banks
POL polling and survey research
POS postage, delivery and messenger services
PRO professional services (legal, accounting)
PRT print ads

RAD radio airtime and production costs
RPD returned contributions
SAL campaign workers' salaries
TEL tv, or cable airtime and production costs
TRC candidate travel, lodging, and meals
TRS staff/pouse travel, lodging, and meals
TSF transfer between committees of the same candidate/sponsor
VOT voter registration
WEB information technology costs (internet, e-mail)

NAME AND ADDRESS OF PAYEE (IF COMMITTEE, ALSO ENTER ID NUMBER)	CODE	OR	DESCRIPTION OF PAYMENT	AMOUNT PAID
ML Associates, LLC 8581 Santa Monica Blvd., #504 Los Angeles CA 90069		PRO		236.67
8BC Payment Center Sacramento CA 95887		OPC		23.21
8BC Payment Center Sacramento CA 95887		OPC		67.73
Truman Club of Stockton (#1269373) 3121 N. March Lane, Ste. 100 Stockton CA 95219		OPC		100.00
ML Associates, LLC 8581 Santa Monica Blvd., #504 Los Angeles CA 90069		OPC		5.40

* Payments that are contributions or independent expenditures must also be summarized on Schedule D.

SUBTOTAL \$ 433.01

**Schedule E
(Continuation Sheet)
Payments Made**

Type or print in ink.
Amounts may be rounded
to whole dollars.

SCHEDULE E (CONT.)

**SEE INSTRUCTIONS ON REVERSE
NAME OF FILER**

Senator Machado Legal Defense Fund

Statement covers period
from 01/01/2005
through 03/31/2005

CALIFORNIA
FORM
Page 9 of 12
LD NUMBER
1272154

CODES: If one of the following codes accurately describes the payment, you may enter the code. Otherwise, describe the payment.

- | | | |
|--|---|---|
| CAP campaign paraphernalia/mk. | MR member communications | RAD radio airtime and production costs |
| CNS campaign consultants | MTG meetings and appearances | REF returned contributions |
| CTB contribution (explain nonmonetary)* | CFC office expenses | SAL campaign workers' salaries |
| CVC civic donations | PEI petition circulating | TEL tv or cable airtime and production costs |
| FL candidate filing/ballot fee | PFO phone banks | TRC candidate travel, lodging, and meals |
| FD fundraising events | POL polling and survey research | TRS staff/pouse travel, lodging, and meals |
| ND independent expenditure supporting/opposing others (explain)* | POB postage, delivery and messenger services | TSF transfer between committees of the same candidate/sponsor |
| LEG legal defense | PRO professional services (legal, accounting) | VOT voter registration |
| LT campaign literature and mailings | PRT print ads | WEB information technology costs (internet, e-mail) |

NAME AND ADDRESS OF PAYEE (if COMMITTEE, ALSO ENTER LD NUMBER)	CODE	OR	DESCRIPTION OF PAYMENT	AMOUNT PAID
ML Associates, LLC 8581 Santa Monica Blvd., #504 Los Angeles CA 90069	PRO			92.75
ML Associates, LLC 8581 Santa Monica Blvd., #504 Los Angeles CA 90069	OPC			13.71
ML Associates, LLC 8581 Santa Monica Blvd., #504 Los Angeles CA 90069	PRO			88.50
MoBee Systems, Inc. 500 Main Street Groton MA 01471-0004	OPC			141.37
ML Associates, LLC 8581 Santa Monica Blvd., #504 Los Angeles CA 90069	PRO			498.23

* Payments that are contributions or independent expenditures must also be summarized on Schedule D.

SUBTOTAL \$ 834.56

Schedule F
Accrued Expenses (Unpaid Bills)

Type or print in ink.
Amounts may be rounded
to whole dollars.

SCHEDULE F

SEE INSTRUCTIONS ON REVERSE
NAME OF FILER

Senator Machado Legal Defense Fund

Statement covers period
from 01/01/2005
through 02/21/2005

CALIFORNIA
FORM
460
Page 11 of 12
ID. NUMBER
1272154

CODES: If one of the following codes accurately describes the payment, you may enter the code. Otherwise, describe the payment.

CAF	campaign paraphernalia/misc.	MR	member communications	RAD	radio airtime and production costs
CNS	campaign consultants	MTG	meetings and appearances	RET	returned contributions
CTB	contribution (explain nonmonetary)*	CFC	office expenses	SAL	campaign workers' salaries
CVC	candidate donations	PEI	petition circulating	TEL	t.v. or cable airtime and production costs
FL	candidate flight/train/food fees	PHD	phone banks	TRC	candidate travel, lodging, and meals
RND	fundraising events	POL	polling and survey research	TRS	staff/spouse travel, lodging, and meals
ND	independent expenditure supporting/opposing others (explain)*	POS	posting, delivery and messenger services	TSF	transfer between committees of the same candidate/sponsor
LEG	legal defense	PRO	professional services (legal, accounting)	VOT	voter registration
LT	campaign literature and mailings	PRT	print ads	WEB	information technology costs (internet, e-mail)

NAME AND ADDRESS OF CREDITOR (IF COMMITTEE, ALSO ENTER ID. NUMBER)	CODE OR DESCRIPTION OF PAYMENT	(a) OUTSTANDING BALANCE BEGINNING OF THIS PERIOD	(b) AMOUNT INCURRED THIS PERIOD	(c) AMOUNT PAID THIS PERIOD (also report on 9)	(d) OUTSTANDING BALANCE AT CLOSE OF THIS PERIOD
Monica Cisneros dba Animo 3580 Pacifica Lane 21k Grove CA 95758	CNS	525.00	0.00	525.00	0.00
ML Associates, LLC 6581 Santa Monica Blvd., #504 Los Angeles CA 90069	PRO	110.50	0.00	110.50	0.00
ML Associates, LLC 6581 Santa Monica Blvd., #504 Los Angeles CA 90069	PRO	156.50	0.00	156.50	0.00
SUBTOTALS \$		792.00 \$	0.00 \$	792.00 \$	0.00

* Payments that are contributions or independent expenditures must also be
itemized on Schedule D.

Schedule F Summary

1. Total accrued expenses incurred this period. (Include all Schedule F, Column (b) subtotals for
accrued expenses of \$100 or more, plus total unitemized accrued expenses under \$100.) INCURRED TOTALS \$ 792.00
2. Total accrued expenses paid this period. (Include all Schedule F, Column (c) subtotals for payments on
accrued expenses of \$100 or more, plus total unitemized payments on accrued expenses under \$100.) PAID TOTALS \$ 806.86
3. Net change this period. (Subtract Line 2 from Line 1. Enter the difference here and
on the Summary Page, Column A, Line 8.) NET \$ -65.86

**Schedule F
(Continuation Sheet)
Accrued Expenses (Unpaid Bills)**

Type or print in ink.
Amounts may be rounded
to whole dollars.

NAME OF FILER

Senator Machado Legal Defense Fund

Statement covers period
from 01/01/2005
through 03/31/2005

SCHEDULE F (CONT.)
CALIFORNIA
FORM **460**
Page 12 of 12
I.D. NUMBER
1272154

CODES: If one of the following codes accurately describes the payment, you may enter the code. Otherwise, describe the payment.

CAP campaign paraphernalia/misc.	MR member communications	RAD radio airtime and production costs
CNS campaign consultants	MTG meetings and appearances	RFD returned contributions
CTB contribution (explain nonmonetary)*	OFC office expenses	SAL campaign workers' salaries
CVC civic donations	PET petition circulating	TEL tv or cable airtime and production costs
FIL candidate filing/ballot fees	PHD phone banks	TRC candidate travel, lodging, and meals
FND fundraising events	POL polling and survey research	TRS staff/spouse travel, lodging, and meals
ND independent expenditure supporting/opposing others (explain)*	POS postage, delivery and messenger services	TSF transfer between committees of the same candidate/sponsor
LEG legal defense	PRO professional services (legal, accounting)	VOT voter registration
LT campaign literature and mailings	PRT print ads	WEB information technology costs (internet, e-mail)

* Payments that are contributions or independent expenditures must also be summarized on Schedule D.

NAME AND ADDRESS OF CREDITOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CODE OR DESCRIPTION OF PAYMENT	(a) OUTSTANDING BALANCE BEGINNING OF THIS PERIOD	(b) AMOUNT INCURRED THIS PERIOD	(c) AMOUNT PAID THIS PERIOD (ALSO REPORT ON B)	(d) OUTSTANDING BALANCE AT CLOSE OF THIS PERIOD
Remcho, Johansen & Purcell 201 Dolores Avenue San Leandro CA 94577	PRO	45,907.61	0.00	0.00	45,907.61
Remcho, Johansen & Purcell 201 Dolores Avenue San Leandro CA 94577	LEG	0.00	741.00	0.00	741.00
SUBTOTALS \$		45,907.61 \$	741.00 \$	0.00 \$	46,648.61

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): Stephen R. McCutcheon, Jr. (SBN 191749) Sweeney, Davidian, & Greene LLP 8001 Folsom Blvd., Suite 101 Sacramento, CA 95826	TELEPHONE NO.: (916) 388-5170	FOR COURT USE ONLY <div style="border: 1px solid black; padding: 5px; text-align: center;"> NOV - 8 2004 </div>
ATTORNEY FOR (Name): Plaintiff Mark Pruner		<div style="border: 1px solid black; padding: 5px; text-align: center;"> T. LEVINSON Deputy Clerk </div>
Insert name of court and name of judicial district and branch court, if any: <div style="text-align: center; border: 1px solid black; padding: 5px;"> SACRAMENTO COUNTY SUPERIOR COURT </div>		
PLAINTIFF/PETITIONER: MARK PRUNER DEFENDANT/RESPONDENT: MIKE MACHADO, et al.		
REQUEST FOR DISMISSAL <input type="checkbox"/> Personal Injury, Property Damage, or Wrongful Death <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other <input type="checkbox"/> Family Law <input type="checkbox"/> Eminent Domain <input checked="" type="checkbox"/> Other (specify):		CASE NUMBER: <div style="text-align: center; border: 1px solid black; padding: 5px;"> 04AS01614 </div>

— A conformed copy will not be returned by the clerk unless a method of return is provided with the document. —

1. TO THE CLERK: Please dismiss this action as follows:

a. (1) ☒ With prejudice (2) ☐ Without prejudice

b. (1) ☐ Complaint (2) ☐ Petition
 (3) ☐ Cross-complaint filed by (name):
 (4) ☐ Cross-complaint filed by (name):
 (5) ☒ Entire action of all parties and all causes of action
 (6) ☐ Other (specify):*

RECEIVED

NOV 13 2004

on (date):
on (date):

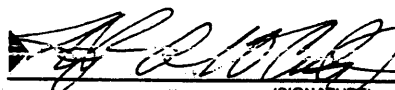
REMCHO, JOHANSEN & PURCELL

Date: November 3, 2004

.....**Stephen R. McCutcheon, Jr.**.....

(TYPE OR PRINT NAME OF ☒ ATTORNEY ☐ PARTY WITHOUT ATTORNEY)

* If dismissal requested is of specified parties only, of specified causes of action only, or of specified cross-complaints only, so state and identify the parties, causes of action, or cross-complaints to be dismissed.



(SIGNATURE)

Attorney or party without attorney for:

☒ Plaintiff/Petitioner ☐ Defendant/Respondent
☐ Cross-complainant

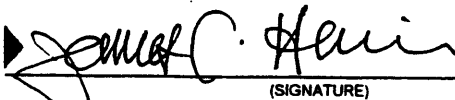
2. TO THE CLERK: Consent to the above dismissal is hereby given.**

Date: **11/3/04**

.....**James C. Harrison**.....

(TYPE OR PRINT NAME OF ☒ ATTORNEY ☐ PARTY WITHOUT ATTORNEY)

** If a cross-complaint—or Response (Family Law) seeking affirmative relief—is on file, the attorney for cross-complainant (respondent) must sign this consent if required by Code of Civil Procedure section 581(i) or (j).



(SIGNATURE)

Attorney or party without attorney for:

☐ Plaintiff/Petitioner ☒ Defendant/Respondent
☐ Cross-complainant

(To be completed by clerk)

3. ☒ Dismissal entered as requested on (date):

4. ☐ Dismissal entered on (date): as to only (name):

5. ☐ Dismissal not entered as requested for the following reasons (specify):

6. ☐ a. Attorney or party without attorney notified on (date):

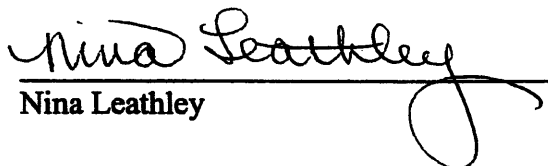
b. Attorney or party without attorney not notified. Filing party failed to provide
☐ a copy to conform ☐ means to return conformed copy

Date: _____

Clerk, by **T. LEVINSON**, Deputy

☐ **BY E-MAIL:** By causing said document(s) to be faxed to said party(ies) at the e-mail address(es) listed.

I declare, under penalty of perjury, that the foregoing is true and correct. Executed on November 4, 2004, in San Leandro, California.


Nina Leathley

PROOF OF SERVICE

I, the undersigned, declare under penalty of perjury that:

I am a citizen of the United States, over the age of 18, and not a party to the within cause or action. My business address is 201 Dolores Avenue, San Leandro, CA 94577.

On November 4, 2004, I served a true copy of the following document(s):

Request for Dismissal

on the following party(ies) in said action:

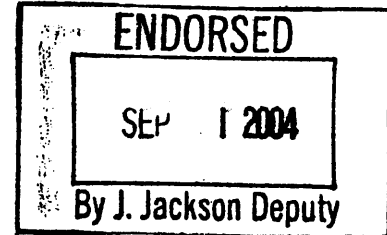
Ben Davidian
Eric Grant
Stephen R. McCutcheon, Jr.
Sweeney, Davidian & Greene LLP
801 Folsom Boulevard, Suite 101
Sacramento, CA 95826
Phone: (916) 388-5170
Fax: (916) 388-0357

Attorneys for Plaintiff

- ☒ **BY MAIL:** By placing a true copy of said document(s), enclosed in a sealed envelope, and by serving said envelope, with postage thereon fully prepaid, in the United States mail in San Leandro, California, addressed to said party(ies).
- ☐ **BY EXPRESS MAIL:** By placing a true copy of said document(s), enclosed in a sealed envelope, and by depositing said envelope, with postage thereon fully prepaid, in the United States mail, VIA EXPRESS MAIL SERVICE, in San Leandro, California, addressed to said party(ies).
- ☐ **BY PERSONAL SERVICE:** By placing a true copy of said document(s), enclosed in a sealed envelope, and by causing said envelope to be personally served on said party(ies), as follows:
- ☐ **By Federal Express Delivery**
- ☐ **By Hand Delivery**
- ☐ **BY FACSIMILE:** By causing said document(s) to be faxed to said party(ies) at the fax number(s) listed.

1 STEVEN BENITO RUSSO, SBN 104858
Chief of Enforcement
2 DEANNE CANAR, SBN 73933
Senior Commission Counsel
3 FAIR POLITICAL PRACTICES COMMISSION
428 J Street, Suite 620
4 Sacramento, CA 95814
Telephone: (916) 322-5660
5 Facsimile: (916) 322-1932

6 Attorneys for Plaintiff



7
8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 IN AND FOR THE COUNTY OF SACRAMENTO

10
11 FAIR POLITICAL PRACTICES COMMISSION,
a state agency,

12 Plaintiff,

13 v.

14 MICHAEL MACHADO, MACHADO FOR
15 SENATE formerly known as MACHADO FOR
16 SENATE 2000, MACHADO FOR SENATE 2004,
and STEPHEN K. SINNOCK,

17 Defendants.
18

Case No.

04AS03486

FINAL JUDGMENT PURSUANT TO
STIPULATION

(Judgment in Favor of Plaintiff, Fair
Political Practices Commission, Against
Defendants, Michael Machado, Machado
for Senate formerly known as Machado
for Senate 2000, Machado for Senate
2004, and Stephen K. Sinnock)

UNLIMITED CIVIL ACTION

19 Plaintiff Fair Political Practices Commission, a state agency, by its attorneys, and Defendants,
20 Michael Machado, Machado for Senate formerly known as Machado for Senate 2000, Machado for
21 Senate 2004, and Stephen K. Sinnock, by their attorneys, having entered into the Stipulation for Entry of
22 Judgment attached hereto, wherein the parties stipulated and agreed to the existence of certain facts and
23 conclusions of law, and to the issuance of this Final Judgment; and

24 Defendants Michael Machado, Machado for Senate formerly known as Machado for Senate
25 2000, Machado for Senate 2004, and Stephen K. Sinnock having authorized the Court to enter judgment
26 in this action, pursuant to this stipulation, on request of Plaintiff Fair Political Practices Commission,
27 without notice to Defendants; and good cause appearing therefore;

28 ///

1 IT IS HEREBY ORDERED, DECREED AND ADJUDGED THAT:

2 Defendants Michael Machado, Machado for Senate formerly known as Machado for Senate
3 2000, Machado for Senate 2004, and Stephen K. Sinnock admit that they violated the Political Reform
4 Act, as stipulated and agreed to within the attached Stipulation for Entry of Judgment.

5 For these violations, it is ordered that Defendants Michael Machado, Machado for Senate
6 formerly known as Machado for Senate 2000, Machado for Senate 2004, and Stephen K. Sinnock shall
7 pay a monetary penalty, as follows: in the amount of twenty-five thousand dollars (\$25,000) against
8 Defendant Michael Machado, for the first, fifth, and sixth causes of action, as set forth in the complaint;
9 and in the amount of thirty-six thousand dollars (\$36,000) against Defendants Michael Machado,
10 Machado for Senate formerly known as Machado for Senate 2000, Machado for Senate 2004, and
11 Stephen K. Sinnock, for the second, third, and fourth causes of action, as set forth in the complaint; for a
12 total civil penalty of sixty-one thousand dollars (\$61,000). Payment of this amount shall be made by
13 cashier's check, payable to the "General Fund of the State of California," upon execution of the attached
14 Stipulation for Entry of Judgment.

15 It is further ordered that Defendants Michael Machado, Machado for Senate formerly known as
16 Machado for Senate 2000, Machado for Senate 2004, and Stephen K. Sinnock, and their agents,
17 servants, and employees, and all persons acting in concert with them, or for them, shall file original and
18 amended campaign statements by September 21, 2004, for Defendants Machado for Senate and
19 Machado for Senate 2004, to: accurately disclose contributions that were misreported as being made to
20 Defendant Machado for Senate instead of to Defendant Machado for Senate 2004; and accurately
21 disclose expenditures that were misreported as being made by Defendant Machado for Senate instead of
22 by Defendant Machado for Senate 2004.

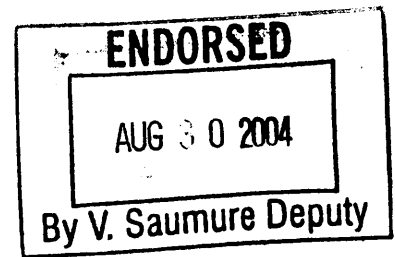
23 It is further ordered that Defendant Michael Machado, and his agents, servants, and employees,
24 and all persons acting in concert with him, or for him, shall include, in making a determination as to
25 whether any contributors have reached the applicable limit for contributions for the 2004 primary and
26 general elections for state senate, contributions for the state senate re-election campaign that were
27 deposited into the campaign bank account for Defendant Machado for Senate.
28

1 The parties shall each bear their own attorney's fees and costs.

2 This Final Judgment shall take effect immediately upon entry. The clerk is directed to enter this
3 Final Judgment forthwith.

4
5 Dated: SEP 01 2004

THOMAS M. CECIL
Judge of the Superior Court



STEVEN BENITO RUSSO, SBN 104858
Chief of Enforcement
DEANNE CANAR, SBN 73933
Senior Commission Counsel
FAIR POLITICAL PRACTICES COMMISSION
428 J Street, Suite 620
Sacramento, CA 95814
Telephone: (916) 322-5660
Facsimile: (916) 322-1932

Attorneys for Plaintiff

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SACRAMENTO

FAIR POLITICAL PRACTICES COMMISSION,
a state agency,

Plaintiff,

v.

MICHAEL MACHADO, MACHADO FOR
SENATE formerly known as MACHADO FOR
SENATE 2000, MACHADO FOR SENATE 2004,
STEPHEN K. SINNOCK,

Defendants.

Case No.

04AS03486

STIPULATION FOR ENTRY OF
JUDGMENT

(IN FAVOR OF PLAINTIFF AGAINST
DEFENDANTS)

UNLIMITED CIVIL ACTION

Plaintiff Fair Political Practices Commission, a state agency, by its attorneys, and Defendants Michael Machado, Machado for Senate formerly known as Machado for Senate 2000, Machado for Senate 2004, and Stephen K. Sinnock, by their attorneys, enter into this stipulation to resolve all factual and legal issues pertaining to the complaint for civil penalties filed herewith.

It is stipulated by and between the parties as follows:

The complaint on file in this action was properly filed and served on Defendants Michael Machado, Machado for Senate formerly known as Machado for Senate 2000, Machado for Senate 2004, and Stephen K. Sinnock.

///

1 Jurisdiction of the subject matter and of the parties to this action and venue are properly in the
2 Sacramento Superior Court. The complaint states six causes of action against one or more Defendants,
3 and any defects in the complaint are expressly waived.

4 This stipulation shall: resolve all factual and legal issues pertaining to or arising out of the
5 causes of action stated against Defendants in the complaint for civil penalties filed herewith; resolve
6 any and all claims under the Political Reform Act against Defendants pertaining to or arising out of the
7 course of conduct described in the complaint, including claims for receiving and accepting the
8 described contributions, making the described payments, or misreporting the described transactions,
9 contrary to sections 84211, 85201, 85301, 85302, 85316, and 89510 of the Government Code, during
10 the period covered in the complaint; and reach a final disposition with respect to Defendants, without
11 the necessity of holding a civil trial to determine their liability.

12 Defendants Michael Machado, Machado for Senate formerly known as Machado for Senate
13 2000, Machado for Senate 2004, and Stephen K. Sinnock understand, and hereby knowingly and
14 voluntarily waive, any and all procedural rights that they could have exercised if this stipulation had not
15 been entered into, including, but not limited to, their right to civil discovery, to appear personally at any
16 civil trial held in this matter, to confront and cross-examine witnesses, and to have the trial presided
17 over by an impartial judge, and heard and decided by a jury.

18 ENTRY OF JUDGMENT

19 For the violations of the Political Reform Act admitted herein, Plaintiff Fair Political Practices
20 Commission and Defendants Michael Machado, Machado for Senate formerly known as Machado for
21 Senate 2000, Machado for Senate 2004, and Stephen K. Sinnock stipulate that a final judgment be
22 issued and entered in the form of the order attached hereto and made a part hereof as Exhibit "A," in
23 favor of Plaintiff Fair Political Practices Commission, and against Defendants Michael Machado,
24 Machado for Senate formerly known as Machado for Senate 2000, Machado for Senate 2004, and
25 Stephen K. Sinnock, as follows: in the amount of twenty-five thousand dollars (\$25,000) against
26 Defendant Michael Machado, for the first, fifth, and sixth causes of action, as set forth in the complaint;
27 in the amount of thirty-six thousand dollars (\$36,000) against Defendants Michael Machado, Machado
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1 for Senate formerly known as Machado for Senate 2000, Machado for Senate 2004, and Stephen K.
2 Sinnock, for the second, third, and fourth causes of action, as set forth in the complaint; for a total civil
3 penalty of sixty-one thousand dollars (\$61,000). Payment of this amount shall be made by cashier's
4 check, payable to the "General Fund of the State of California," upon the execution of this stipulation.

5 The parties shall each bear their own attorney's fees and costs.

6 It is further stipulated by and between the parties as follows:

7 a) Defendant Machado has voluntarily disgorged funds from Defendant Machado for Senate
8 2004, in the total amount of fifty-six thousand two hundred dollars (\$56,200), by returning
9 contributions to those contributors whose contributions, as set forth in this complaint, resulted in a
10 violation of the applicable statutory contribution limits.

11 b) Defendants will comply with an injunctive order requiring each of them, and their agents,
12 servants, and employees, and all persons acting in concert with them, or for them, to file original and
13 amended campaign statements by September 21, 2004, for Defendants Machado for Senate and
14 Machado for Senate 2004, to: accurately disclose contributions that were misreported as being made to
15 Defendant Machado for Senate instead of to Defendant Machado for Senate 2004; and accurately
16 disclose expenditures that were misreported as being made by Defendant Machado for Senate instead
17 of by Defendant Machado for Senate 2004.

18 c) Defendant Michael Machado will comply with an injunctive order requiring him, and his
19 agents, servants, and employees, and all persons acting in concert with him, or for him, to include, in
20 making a determination as to whether any contributors have reached the applicable limit for
21 contributions for the 2004 primary and general elections for state senate, contributions for the state
22 senate re-election campaign that were deposited into the campaign bank account for Defendant
23 Machado for Senate.

24 The final judgment may be signed by any judge of the Superior Court of the State of California,
25 in and for the County of Sacramento, and entered by any clerk upon application of any party without
26 notice.

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1 **STIPULATED STATEMENT OF LAW AND FACTS**

2 1. **THE PARTIES AND BACKGROUND INFORMATION**

3 **Fair Political Practices Commission**

4 Plaintiff Fair Political Practices Commission (the "FPPC" or the "Commission") is a state
5 agency created by the Political Reform Act of 1974 (the "Act"). (Gov. Code §§ 81000 - 91014.)
6 Plaintiff FPPC has primary responsibility for the impartial, effective administration and implementation
7 of the Act. (Gov. Code § 83111.) Pursuant to Government Code section 91001, subdivision (b),
8 Plaintiff FPPC is the civil prosecutor for matters involving state candidates, state committees, and state
9 election campaigns, and is authorized to maintain this action under Government Code sections 91001,
10 subdivision (b), 91004, 91005, and 91005.5. As Plaintiff FPPC is acting as the civil prosecutor
11 concerning this matter, the stipulated judgment set forth herein precludes any other agency,
12 organization, entity, or person from obtaining any further judgment with respect to the violations which
13 were or could have been alleged arising from the conduct described in this action, as provided by
14 Government Code section 91008.

15 **Michael Machado**

16 Defendant Michael Machado (hereinafter "Machado") is, and was at all times relevant to this
17 matter, a member of the Senate of the State of California representing the Fifth Senate District, having
18 been elected to that office in the statewide general election of November 7, 2000.

19 **Machado for Senate**

20 Defendant Machado for Senate was formed on or about December 16, 1998, under the name
21 Machado for Senate 2000, as a candidate "controlled committee" within the meaning of Government
22 Code section 82016, to support Defendant Machado's election to the state senate in the 2000 primary
23 and general elections. After the 2000 general election, the statement of organization for Machado for
24 Senate 2000 was amended to change the name of this committee to "Machado for Senate." At all times
25 relevant to this matter, the identification number for Machado for Senate (hereinafter the "2000
26 Committee"), assigned by the Secretary of State, was 983468.

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1 Machado for Senate 2004

2 Defendant Machado for Senate 2004 was formed on October 10, 2001, as a candidate
3 "controlled committee" within the meaning of Government Code section 82016, to support Defendant
4 Machado's re-election to the state senate in the 2004 primary and general elections. At all times
5 relevant to this matter, the identification number for Defendant Machado for Senate 2004 (hereinafter
6 the "2004 Committee"), assigned by the Secretary of State, was 1238907.

7 Stephen K. Sinnock

8 At all times relevant to this matter, Defendant Stephen K. Sinnock (hereinafter "Sinnock") was
9 the treasurer of both Defendant 2000 Committee and Defendant 2004 Committee.

10 2. SUMMARY OF THE LAW

11 "One Bank Account Rule"

12 Government Code section 85201, as implemented by title 2, California Code of Regulations,
13 section 18521, subdivision (a), requires a candidate who receives \$1,000 or more in a calendar year for
14 an election to establish a separate campaign bank account prior to soliciting or receiving any
15 contributions, and to establish a separate campaign committee upon receiving contributions of \$1,000
16 or more, for the specific elective office sought.

17 Pursuant to Government Code section 85201, subdivision (c), all contributions for a specific
18 elective office shall be deposited into a campaign bank account established for that elective office.

19 Pursuant to Government Code section 85201, subdivision (e), all expenditures for a specific
20 elective office shall be made from a campaign bank account established for that elective office.

21 Contribution Limitations

22 Among the express findings and declarations of the Act is an expression of concern about the
23 increase in the costs of conducting election campaigns, and the disproportionate influence of large
24 contributions over governmental decisions. (Gov. Code § 81001, subd.(c).) Government Code section
25 81001, subdivision (d) declares that the influence of large campaign contributions has increased, and
26 that existing laws for the disclosure of campaign receipts and expenditures have been inadequate.

27 To address these concerns about large contributions and the disproportionate influence that is
28 garnered by large contributors, Proposition 34, which was passed by the voters on November 7, 2000,

1 added new campaign finance provisions to the Act, including campaign contribution limits.
2 Proposition 34 became effective for legislative candidates on January 1, 2001. (Gov. Code § 85100, et
3 seq.)

4 The Act provides, at Government Code section 89510, subdivision (a), that a candidate for
5 elective state office may only accept contributions within the limits set forth in Chapter 5 of the Act,
6 commencing with Government Code section 85100.

7 Pursuant to Government Code section 85301, subdivision (a), as implemented by title 2,
8 California Code of Regulations, section 18545, subdivision (a)(1), the limit on any contribution that
9 may be made to, and accepted by, a candidate for state senate from a person, other than a small
10 contributor committee or political party committee, for an election occurring during the period January
11 1, 2003 through December 31, 2004, is three thousand two hundred dollars (\$3,200) per election. As
12 such, for the 2004 primary and general elections for state senate, the maximum combined contribution
13 limit that a candidate for state senate may accept from a person, other than a small contributor
14 committee or political party committee, from January 1, 2003 through December 31, 2004 is six
15 thousand four hundred dollars (\$6,400).

16 Pursuant to Government Code section 85302, subdivision (a), as implemented by title 2,
17 California Code of Regulations, section 18545, subdivision (a)(4), the limit on any contribution that
18 may be made to, and accepted by, a candidate for state senate from a small contributor committee for
19 an election occurring during the period January 1, 2003 through December 31, 2004, is six thousand
20 four hundred dollars (\$6,400) per election. As such, for the 2004 primary and general elections for
21 state senate, the maximum combined contribution limit for a small contributor committee from January
22 1, 2003 through December 31, 2004 is twelve thousand eight hundred dollars (\$12,800).

23 Pursuant to Government Code section 85316, a contribution for an election may be accepted by
24 a candidate for elective state office after the date of the election only to the extent that the contribution
25 does not exceed net debts outstanding from the election, and the contribution does not otherwise exceed
26 the applicable contribution limits for that election. Upon becoming operative on or about November 3,
27 2001, title 2, California Code of Regulations, section 18531.6, implementing Government Code section
28 85316, provided at subdivision (a) that the prohibition in section 85316 against post-election

1 fundraising in excess of net debt did not apply to contributions received by a candidate for elective state
2 office in an election held prior to January 1, 2001. Pursuant to that same regulation, a candidate for
3 elective state office in an election held prior to January 1, 2001, could continue to receive contributions
4 without limits after the election for expenses related to holding office. On January 14, 2004, the
5 Commission amended regulation 18531.6 on an emergency basis, to sunset its provisions on January
6 23, 2004. Pursuant to title 2, California Code of Regulations, section 18531.61, as of January 24, 2004,
7 a contribution for an election, regardless of when held, may be accepted by a candidate for elective
8 state office after the date of the election only to the extent that the contribution does not exceed net
9 debts outstanding from the election, and does not otherwise exceed applicable contribution limits.

10 Campaign Disclosure

11 An express purpose of the Act, as set forth in Government Code section 81002, subdivision (a),
12 is to ensure that the contributions and expenditures affecting election campaigns are fully and truthfully
13 disclosed to the public, so that voters may be better informed, and so that improper practices may be
14 inhibited.

15 In furtherance of this purpose of disclosure, the Act requires candidates, their controlled
16 committees, and the treasurers of those committees, to file periodic campaign statements and reports,
17 disclosing their financial activities. (Gov. Code § 84200, et seq.)

18 Government Code section 82013, subdivision (a) provides that any person or combination of
19 persons who directly or indirectly receives \$1,000 or more in a calendar year is a "committee." This
20 type of committee is commonly referred to as a "recipient committee" under the Act. Pursuant to
21 Government Code section 82016, subdivision (a), a recipient committee that is controlled directly or
22 indirectly by a candidate is a "controlled committee."

23 Under Government Code section 84215, subdivision (b), Members of the Legislature,
24 candidates for those offices, their controlled committees, and the treasurers of those committees, are
25 required to file their campaign statements with the Secretary of State and with the county with the
26 largest number of registered voters in the districts affected.

27 Additionally, under Government Code section 84605, subdivision (a), any candidate or
28 committee that is required to file campaign statements in connection with a state elective office, that

1 cumulatively receives contributions or makes expenditures totaling fifty thousand dollars (\$50,000) or
2 more, is required to file its campaign statements online or electronically with the Secretary of State,
3 beginning July 1, 2000, for every reporting period thereafter. Further, under Government Code section
4 85309, subdivision (a), a candidate for state elective office who is required to file reports pursuant to
5 section 84605 must file online or electronically with the Secretary of State a report disclosing the
6 receipt of any contribution of \$1,000 or more received during an election cycle.

7 To further ensure that the express purposes of the Act are achieved, Government Code section
8 84211 prescribes the contents of campaign statements. Government Code section 84211, subdivisions
9 (c) and (i), requires each campaign statement to contain information regarding the total amount of
10 contributions received during the period covered by the campaign statement from persons who have
11 given a cumulative amount of one hundred dollars (\$100) or more, and information regarding the total
12 amount of expenditures made during the period covered by the campaign statement to persons who
13 have received one hundred dollars (\$100) or more.

14 Government Code section 84211, subdivision (f) requires detailed information for contributions
15 of \$100 or more. It provides that if the cumulative amount of contributions received from a person is
16 one hundred dollars (\$100) or more, and a contribution has been received from that person during the
17 period covered by the campaign statement, the statement must disclose identifying information about
18 the contributor, the date and amount of each contribution received from the contributor during the
19 reporting period, and the cumulative amount of the contributor's contributions.

20 Similarly, Government Code section 84211, subdivision (k) requires detailed information for
21 expenditures of \$100 or more. It provides that for each person to whom an expenditure of one hundred
22 dollars (\$100) or more has been made during the period covered by the campaign statement, the
23 statement must disclose identifying information about the payee, the amount of each expenditure, and a
24 brief description of the consideration for which each expenditure was made.

25 3. CIVIL LIABILITY PROVISIONS

26 Government Code section 91004 provides that any person who intentionally or negligently
27 violates any of the reporting requirements of the Act shall be liable in a civil action in an amount up to

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1 the amount(s) not properly reported. Persons who violate Government Code section 84211 are liable in
2 a civil action brought pursuant to Government Code section 91004.

3 Government Code section 91005.5 provides that any person who violates any provision of the
4 Act for which no specific civil penalty is provided, shall be liable in a civil action for an amount up to
5 five thousand dollars (\$5,000) per violation. Persons who violate Government Code sections 85201,
6 85301, and 85302 are liable in a civil action pursuant to Government Code section 91005.5.

7 Pursuant to Government Code sections 81004, subdivision (b) and 84100, as implemented by
8 title 2, California Code of Regulations, section 18427, subdivision (a), it is the duty of a committee's
9 treasurer to ensure that the committee complies with all of the requirements of the Act concerning the
10 receipt and expenditure of funds, and the reporting of such funds. A committee's treasurer may be held
11 jointly and severally liable, along with the committee, for any reporting violations committed by the
12 committee. (Gov. Code § 91006.)

13 4. SUMMARY OF THE FACTS

14 In January 2001, shortly after having been elected to the office of state senate in the statewide
15 general election of November 7, 2000, Defendant Machado began soliciting and receiving contributions
16 for his state senate re-election campaign and for his officeholder expenses. As a candidate for re-
17 election to the office of state senate in 2004, Defendant Machado had a duty to establish a separate
18 campaign bank account prior to soliciting or receiving any contributions, and a duty to establish a
19 separate campaign committee upon receiving contributions of \$1,000 or more, for his re-election
20 campaign. Prior to March 2002, a candidate for elective state office could establish a separate
21 campaign committee and a separate campaign bank account for a future election for the same office, by
22 re-designating his existing campaign committee and campaign bank account.

23 Although Defendant Machado began receiving contributions for his state senate re-election
24 campaign in January 2001, he did not establish a separate campaign committee or separate bank
25 account for his re-election, by opening a new committee and bank account or by re-designating his
26 existing committee and bank account, until October 2001, when he established Defendant 2004
27 Committee and a new bank account.

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1 Upon receiving contributions for the re-election campaign, Defendants Machado and Sinnock
2 had a duty to deposit all such contributions into the separate campaign bank account established for that
3 election campaign. Similarly, in making expenditures for the re-election campaign, Defendants
4 Machado and Sinnock had a duty to make all such expenditures from the separate campaign bank
5 account established for that election campaign. This requirement is commonly known as the "one bank
6 account rule."

7 Defendants publicly reported contributions received and expenditures made for Defendant
8 Machado's re-election campaign for state senate in timely filed campaign statements. However, as a
9 result of violating the one bank account rule, Defendants misreported those transactions, by reporting
10 the contributions and expenditures for Defendant Machado's state senate re-election campaign on the
11 campaign statements of Defendant 2000 Committee. Additionally, as a result of violating the one bank
12 account rule, Defendant Machado failed to count all of the contributions he received for his re-election
13 campaign against the limits for a candidate for state senate for an election occurring in 2004, and
14 therefore accepted contributions in excess of the applicable limits.

15 Upon learning of the violations, Defendant Machado, who never before has been the subject of
16 an enforcement action by the Commission, cooperated fully with the Commission, terminated
17 Defendant 2000 Committee, voluntarily returned the contributions identified in this stipulation as
18 having been made in excess of the contribution limits, and began taking steps to amend his campaign
19 committee reports as described herein.

20 Plaintiff Commission conducted an investigation of the matters alleged in the complaint. The
21 investigation concluded with the filing of the complaint and the resolution as stated in this stipulated
22 judgment.

23 A. FIRST CAUSE OF ACTION

24 On or about January 23, 2001, Defendant Machado received a contribution of \$1,000 in support
25 of his re-election campaign for state senate from the Enron Corporation.

26 As a candidate receiving \$1,000 or more in a calendar year for his re-election campaign,
27 Defendant Machado was required, under Government Code section 85201, to establish a separate
28 campaign bank account and a separate campaign committee for his re-election to the office of state

1 senate in 2004. Defendant Machado was required to establish the separate campaign bank account
2 prior to soliciting or receiving any contributions, and to establish the separate campaign committee
3 upon receiving contributions of \$1,000 or more.

4 On or about October 10, 2001, Defendant Machado established Defendant 2004 Committee, in
5 conjunction with his bid for re-election to the office of state senate in the 2004 primary and general
6 elections. Approximately two weeks earlier, Defendant Machado opened a separate campaign bank
7 account for his 2004 re-election campaign.

8 By intentionally or negligently failing to timely establish a separate campaign committee and a
9 separate campaign bank account for his 2004 re-election campaign for state senate, Defendant Machado
10 violated Government Code section 85201.

11 **B. SECOND CAUSE OF ACTION**

12 On or about and between January 23, 2001 through September 30, 2003, Defendants Machado
13 and Sinnock received approximately one hundred eighty-nine contributions, totaling approximately
14 \$235,657, for Defendant Machado's re-election to state senate in 2004, and subsequently deposited
15 those contributions into the campaign bank account of Defendant 2000 Committee, a committee that
16 was established for Defendant Machado's election to state senate in 2000. The majority of those
17 contributions were received prior to October 10, 2001, when Defendant Machado established a new
18 campaign bank account and campaign committee for the 2004 re-election.

19 As a candidate and a committee treasurer that were receiving contributions for Defendant
20 Machado's 2004 state senate re-election campaign, Defendants Machado and Sinnock were required,
21 under Government Code section 85201, subdivision (c), to deposit those contributions into a campaign
22 bank account established for election to that office.

23 The approximate one hundred eighty-nine contributions deposited into the campaign bank
24 account of Defendant 2000 Committee, both before and after the establishment of the new campaign
25 bank account for the 2004 re-election, are set forth in the following chart:

Violation	Name of Contributor	Date Made	Amount of Contribution	Date of Deposit
1.	Enron Corporation	01/10/01	\$1,000	02/01/01
2.	Duke Energy	12/05/00	\$2,500	02/12/01

3.	West Coast Grape Farms	12/29/00	\$5,000	03/06/01
4.	California Association of Psychiatric Technicians, Inc. Political Action Committee	02/23/01	\$1,000	03/13/01
5.	California Building Industry Association PAC	02/27/01	\$1,000	03/13/01
6.	California Department of Forestry Firefighters PAC	03/06/01	\$3,000	03/13/01
7.	Consulting Engineers & Land Surveyors PAC	02/27/01	\$1,000	03/13/01
8.	Driving School Association of California, Inc.	02/24/01	\$1,000	03/13/01
9.	Union Pacific Railroad Co.	03/05/01	\$1,000	03/13/01
10.	California Cable Television Association	03/13/01	\$1,000	03/15/01
11.	Household Finance Group	03/08/01	\$1,000	03/15/01
12.	California Motor Car Dealers Association PAC	03/14/01	\$1,000	03/20/01
13.	Agua Caliente Band of Cahuilla Indians	03/15/01	\$2,000	03/27/01
14.	California Association of Mortgage Brokers PAC	03/19/01	\$1,000	03/27/01
15.	California Grape & Tree Fruit League FRUITPAC	03/22/01	\$1,000	03/27/01
16.	California Veterinary Medical Association	03/21/01	\$1,000	03/27/01
17.	Professional Engineers in California Government	03/21/01	\$1,000	03/27/01
18.	Southern Wine and Spirits	03/15/01	\$1,000	03/27/01
19.	Western United Dairymen PAC	03/15/01	\$1,000	03/27/01
20.	Young's Market Company	03/14/01	\$1,000	03/27/01
21.	Blue Cross of California	03/22/01	\$1,000	03/30/01
22.	BP AMOCO Corporation	03/21/01	\$1,000	03/30/01
23.	California Agricultural Production Consultants Association PAC	03/27/01	\$1,000	03/30/01
24.	California Applicants' Attorneys Association PAC	03/26/01	\$1,000	03/30/01
25.	California Bankers Association State PAC	03/28/01	\$1,000	03/30/01
26.	The Clorox Company	03/23/01	\$1,000	03/30/01
27.	Associated General Contractors PAC of California	03/30/01	\$1,000	04/05/01
28.	California Association of Collectors PAC-FUND	03/14/01	\$500	04/05/01
29.	California Association of Licensed Investigators PAC	03/27/01	\$1,000	04/05/01

1	30.	California Mortgage Association PAC	03/27/01	\$1,000	04/05/01
2	31.	Del Mar Thoroughbred Club	03/26/01	\$500	04/05/01
3	32.	Anheuser-Busch Cos., Inc.	04/02/01	\$1,000	04/17/01
4	33.	California Mining Association's Mining Industries PAC	04/13/01	\$1,000	04/20/01
5	34.	Californians for Civil Justice Reform PAC	04/02/01	\$1,000	04/20/01
6	35.	Peace Officers' Research Association of California PAC	04/12/01	\$2,000	04/20/01
7	36.	AT&T	04/25/01	\$1,000	05/17/01
8	37.	California Pharmacists PAC	05/03/01	\$500	03/17/01
9	38.	Chevron Corporation	05/08/01	\$1,000	05/17/01
10	39.	Mercury General Corporation	04/11/01	\$1,000	05/17/01
11	40.	Southern California Concrete and Rock Products PAC	04/17/01	\$1,000	05/17/01
12	41.	Agricultural Council of California PAC	05/30/01	\$500	06/01/01
13	42.	EDS	02/05/01	\$750	06/01/01
14	43.	Plastics California PAC	05/21/01	\$500	06/01/01
15	44.	Verizon Services Group	05/16/01	\$1,000	06/01/01
16	45.	BP AMOCO	05/29/01	\$1,000	06/14/01
17	46.	California Chamber of Commerce PAC	06/11/01	\$500	06/14/01
18	47.	California Healthcare Association PAC Sponsored by the California Healthcare Association	06/08/01	\$1,000	06/14/01
19	48.	California Medical Association Small Contributor Committee	05/31/01	\$1,000	06/14/01
20	49.	CIGNA Healthcare of California, Inc.	06/04/01	\$1,000	06/14/01
21	50.	E & J Gallo Winery	06/04/01	\$2,500	06/14/01
22	51.	Ernst & Young-Los Angeles PAC	05/25/01	\$500	06/14/01
23	52.	Firefighters' Legislative Action Group	06/01/01	\$500	06/14/01
24	53.	KPMG, LLP	03/02/01	\$500	06/14/01
25	54.	TOSCO Corporation	06/01/01	\$1,000	06/14/01
26	55.	California Bankers Association State PAC	06/08/01	\$1,000	06/22/01
27	56.	Dairy Institute Legislative Committee	06/07/01	\$500	06/22/01

1	57.	Dairy Institute Legislative Committee	06/07/01	\$2,000	06/22/01
2	58.	Pacific Bell/Pacific Telesis Group Employee PAC	06/11/01	\$2,500	06/22/01
3	59.	Professional Engineers in California Government	06/13/01	\$1,000	06/22/01
4	60.	Dow Chemical Company	06/14/01	\$2,000	06/22/01
5	61.	Zenith Insurance Company	06/14/01	\$2,500	06/22/01
6	62.	Associated General Contractors PAC of California	06/21/01	\$500	06/29/01
7	63.	California Association of Professional Liability Insurers PAC	06/26/01	\$500	06/29/01
8	64.	California Conference Board Amalgamated Transit Union PAC	06/11/01	\$500	06/29/01
9	65.	California Forestry Association PAC	06/18/01	\$1,000	06/29/01
10	66.	California Independent Oil Marketers PAC	06/29/01	\$500	06/29/01
11	67.	California State Employees' Association Member Action Committee	06/22/01	\$2,500	06/29/01
12	68.	Calpine Corporation	06/19/01	\$1,500	06/29/01
13	69.	California Dermatology Society PAC	06/27/01	\$500	07/06/01
14	70.	Dow Agrosciences, LLC	06/28/01	\$500	07/06/01
15	71.	Dow Agrosciences, LLC	06/28/01	\$500	07/06/01
16	72.	Gateway Companies, Inc.	06/18/01	\$1,000	07/09/01
17	73.	California Association of Community Managers PAC	07/09/01	\$1,000	07/20/01
18	74.	California Society of Certified Public Accountants PAC	06/19/01	\$1,000	07/20/01
19	75.	California Association of Nurserymen PAC	07/17/01	\$500	07/30/01
20	76.	Frank C. Alegre, Sr.	07/18/01	\$500	07/30/01
21	77.	Lodi Gas Storage, LLC	07/24/01	\$1,000	07/30/01
22	78.	PAM Companies, dba Professional Apartment Management, David Michael	07/30/01	\$1,000	08/03/01
23	79.	Thoroughbred Owners of California PAC	07/17/01	\$500	08/06/01
24	80.	Dairy Institute Legislative Committee	07/31/01	\$500	08/13/01
25	81.	Herum, Crabtree & Brown, Attorneys at Law	08/06/01	\$1,000	08/13/01
26	82.	Malissa McKeith	07/30/01	\$500	08/13/01
27	83.	Raymus Properties, Inc./Tony Marie Raymus	07/27/01	\$1,000	08/13/01

1	84.	Schools Credit Union	07/31/01	\$500	08/13/01
2	85.	William Filios	08/02/01	\$1,000	08/13/01
3	86.	American Medical Response	08/14/01	\$500	08/21/01
4	87.	AWIN Management, Inc. c/o Allied Waste North America, Inc.	08/10/01	\$1,000	08/21/01
5	88.	California Citrus Mutual PAC	08/02/01	\$500	08/21/01
6	89.	California Dairies	08/06/01	\$1,000	08/21/01
7	90.	Interstate Truck Center	08/21/01	\$500	08/21/01
8	91.	Newhall Land and Farming Company	08/9/01	\$500	08/21/01
9	92.	DSS Company	08/15/01	\$500	08/27/01
10	93.	The Doctors' Company PAC	08/10/01	\$500	08/27/01
11	94.	California Association of Health Facilities PAC	07/31/01	\$500	08/28/01
12	95.	California Teachers Association/Association for Better Citizenship	08/02/01	\$1,500	08/28/01
13	96.	Law Offices of Daniel F. Quinn	08/21/01	\$500	08/30/01
14	97.	Partners Real Estate	08/08/01	\$500	08/30/01
15	98.	San Joaquin, Calaveras, Alpine and Amador Counties Building Trades Council	08/22/01	\$1,500	08/30/01
16	99.	Sun-Maid Growers of California	08/02/01	\$1,000	08/30/01
17	100.	PAC West Telecom, Inc.	08/07/01	\$1,000	09/05/01
18	101.	Western United Dairymen	08/30/01	\$1,000	09/06/01
19	102.	California State Pipe Trades Council Political Action Fund	08/29/01	\$500	09/07/01
20	103.	Conti Material Service, Inc.	09/06/01	\$500	09/13/01
21	104.	A.C. Trucking, Inc.	09/07/01	\$500	09/14/01
22	105.	Bank of Stockton	09/06/01	\$1,000	09/14/01
23	106.	Farmers & Merchants Bank of Central California	09/07/01	\$1,000	09/14/01
24	107.	M & R Company of Growers, Packers, and Shippers	09/07/01	\$1,000	09/14/01
25	108.	Morris W. Knight	09/07/01	\$500	09/14/01
26	109.	R. Kirk Lindsey	08/01/01	\$500	09/14/01
27	110.	State Building and Construction Trades Council of California PAC	08/21/01	\$1,000	09/14/01

1	111.	Anheuser-Busch Cos., Inc.	09/07/01	\$1,000	09/19/01
2	112.	Blue Cross of California	09/10/01	\$1,000	09/19/01
3	113.	BP Corporation of North America, Inc.	09/07/01	\$1,000	09/19/01
4	114.	Heritage Eye Associates Vision Care Center	09/12/01	\$1,000	09/19/01
5	115.	John P. Butorac	09/13/01	\$500	09/19/01
6	116.	Motion Picture Association of America California PAC	09/07/01	\$1,000	09/19/01
7	117.	Mountain Valley Express Company, Inc.	09/13/01	\$500	09/19/01
8	118.	San Manuel Tribal Administration	09/05/01	\$1,000	09/19/01
9	119.	Western Manufactured Housing Communities Association PAC	09/06/01	\$1,000	09/19/01
10	120.	Zenith Insurance Company	09/11/01	\$1,000	09/19/01
11	121.	California Building Industry Association PAC	09/14/01	\$1,000	09/20/01
12	122.	DeGregori, Gormsen & Ringer, LLP Certified Public Accountants	09/18/01	\$500	09/24/01
13	123.	California Distributors Association PAC	09/19/01	\$750	10/03/01
14	124.	Grocery Manufacturers of America	09/17/01	\$500	10/03/01
15	125.	Hewlett Packard	08/17/01	\$2,000	01/15/02
16	126.	Public Storage, Inc.	12/12/01	\$2,000	01/15/02
17	127.	AMGEN	12/19/01	\$1,000	01/19/02
18	128.	California Association of Mortgage Brokers PAC	01/15/02	\$1,500	01/19/02
19	129.	California Dental PAC Small Contributor Committee	01/16/02	\$3,000	01/19/02
20	130.	California Credit Union League PAC	01/24/02	\$1,500	02/05/02
21	131.	California Department of Forestry Firefighters PAC	01/23/02	\$3,000	02/05/02
22	132.	Oak Tree Racing Association	01/18/02	\$750	02/05/02
23	133.	Premier West Credit Union	01/22/02	\$1,500	02/05/02
24	134.	Sacramento County Deputy Sheriffs' Association	01/23/02	\$3,000	02/05/02
25	135.	USBancorp. Political Participation Federal PAC	12/17/01	\$1,500	02/05/02
26	136.	Advance America	01/23/02	\$2,000	02/09/02
27	137.	Bank of America California PAC	01/31/02	\$2,000	02/09/02

1	138.	California Association of Professional Liability Insurers PAC	02/04/02	\$1,500	02/09/02
2	139.	California Bankers Association State PAC	01/24/02	\$1,500	02/09/02
3	140.	California Financial Services Association PAC	02/04/02	\$1,500	02/09/02
4	141.	California Independent Oil Marketers PAC	01/28/02	\$1,000	02/09/02
5	142.	California Mortgage Association PAC	01/23/02	\$1,500	02/09/02
6	143.	California Association of Collectors PAC-Fund	01/31/02	\$750	02/09/02
7	144.	PG&E Corporation	01/31/02	\$3,000	02/09/02
8	145.	Union Pacific Railroad Co.	01/11/02	\$1,000	02/09/02
9	146.	California Association of Health Facilities PAC	02/14/02	\$1,000	02/15/02
10	147.	California State Employees' Association Member Action Committee	02/05/02	\$1,500	02/15/02
11	148.	Kroger	02/05/02	\$1,000	02/15/02
12	149.	Mercury General Corporation	01/23/02	\$1,500	02/15/02
13	150.	The Doctors' Company PAC	02/12/02	\$500	02/15/02
14	151.	Burton J. McMurtry	01/30/02	\$1,000	02/22/02
15	152.	Barona G & A Account	02/13/02	\$3,000	03/02/02
16	153.	Building Owners & Managers Association of California PAC	02/21/02	\$1,000	03/02/02
17	154.	AFLAC, Inc.	02/18/02	\$1,000	03/04/02
18	155.	AT&T Wireless	02/01/02	\$1,500	03/04/02
19	156.	Operating Engineers Local No. 3 Statewide PAC	01/21/02	\$3,000	03/04/02
20	157.	Peace Officers Research Association of California (PORAC PAC)	02/16/02	\$1,500	03/04/02
21	158.	Steven T. Kirsch Trustee, The Kirsch Revocable Trust	02/04/02	\$1,000	03/04/02
22	159.	AOL Time Warner	02/25/02	\$750	03/06/02
23	160.	AWIN Management, Inc. c/o Allied Waste North America, Inc.	03/01/02	\$3,000	03/06/02
24	161.	California Hotel & Lodging Association PAC	01/28/02	\$1,000	03/06/02
25	162.	TRW Good Government Fund	04/08/02	\$1,000	06/03/02
26	163.	California Beer and Beverage Distributors Community Affairs	08/02/02	\$3,000	08/16/02
27	164.	California League of Food Processors PAC	08/08/02	\$1,000	08/16/02

1	165.	California Orthotics & Prosthetics Association PAC	08/06/02	\$3,000	08/16/02
2	166.	Building Owners & Managers Association of California PAC	08/22/02	\$1,000	09/03/02
3	167.	California Bankers Association Slate PAC	08/29/02	\$1,000	09/13/02
4	168.	Waste Management-Western Group and Waste Management, Affiliated Entities	08/16/02	\$1,000	09/13/02
5	169.	New United Motor Mfg., Inc. Good Government Fund	09/10/02	\$500	09/23/02
6	170.	California Department of Forestry Firefighters Small Contributor PAC	09/22/02	\$1,000	09/30/02
7	171.	Personal Insurance Federation of California PAC	09/23/02	\$1,000	09/30/02
8	172.	AWIN Management, Inc. c/o Allied Waste North America, Inc.	09/20/02	\$1,000	10/07/02
9	173.	Pacific Coast Producers PAC	09/25/02	\$500	10/07/02
10	174.	7-Eleven, Inc.	10/16/02	\$907.11	10/19/02
11	175.	Kroger for Ralphs Grocery Company	10/09/02	\$1,000	10/30/02
12	176.	AT&T	08/27/02	\$3,000	10/31/02
13	177.	Recording Industry Association of America, Inc.	10/24/02	\$3,000	11/01/02
14	178.	DeMenno Kerdoon	04/30/03	\$5,000	05/13/03
15	179.	Robert Simonds	06/3/03	\$10,000	06/23/03
16	180.	Hewlett Packard	07/25/03	\$1,000	09/05/03
17	181.	AWIN Management, Inc. c/o Allied Waste North America, Inc.	08/29/03	\$3,000	09/12/03
18	182.	California Refuse Removal Council South PAC	09/05/03	\$1,500	09/12/03
19	183.	Check'n Go of California	08/26/03	\$500	09/12/03
20	184.	Sempra Energy	09/02/03	\$3,000	09/12/03
21	185.	Washington Mutual Bank	08/29/03	\$3,000	09/12/03
22	186.	Camp, Dresser & McKee, Inc.	08/08/03	\$1,000	09/30/03
23	187.	Heritage Eye Associates Vision Care Center	08/08/03	\$1,000	09/30/03
24	188.	Koopman & Sons Dairy	08/13/03	\$1,000	09/30/03
25	189.	Milk Producers Council PAC	08/12/03	\$1,000	09/30/03
26		TOTAL		\$235,657	

1 By intentionally or negligently failing to deposit the above-described one hundred eighty-nine
2 contributions for Defendant Machado's 2004 re-election to state senate into a campaign bank account
3 established for election to that office, Defendants Machado, Sinnock, 2000 Committee, and 2004
4 Committee violated Government Code section 85201, subdivision (c).

5 C. THIRD CAUSE OF ACTION

6 On or about and between June 12, 2001 through December 31, 2003, Defendants Machado and
7 Sinnock made approximately fifty-eight expenditures, totaling approximately \$246,762, for
8 fundraising, consulting, and other expenses for Defendant Machado's re-election to state senate in
9 2004, by issuing checks from the campaign bank account of Defendant 2000 Committee, a committee
10 that was established for Defendant Machado's election to state senate in 2000.

11 As a candidate and committee treasurer that were making expenditures for Defendant
12 Machado's 2004 state senate re-election campaign, Defendants Machado and Sinnock were required,
13 under Government Code section 82501, subdivision (e), to make those expenditures from a campaign
14 bank account established for election to that office.

15 The approximate fifty-eight expenditures made from the campaign bank account of Defendant
16 2000 Committee, both before and after establishment of the new campaign bank account for the 2004
17 re-election, are set forth in the following chart:

Violation	Name of Payee	Date Made	Amount of Expenditure	Purpose of Expenditure
1.	Lighthouse Bar & Grill	06/12/01	\$746	Fundraising
2.	BDL Investments c/o Property Services	06/30/01	\$6,916	Office Expenses
3.	Sandy Lacy, dba S.J. Lacy Productions	06/30/01	\$568	Fundraising
4.	Sandy Lacy, dba S.J. Lacy Productions	06/30/01	\$15,256	Fundraising
5.	U.S. Postmaster	08/20/01	\$1,200	Fundraising
6.	Beckrest Graphic Design Advertising	08/21/01	\$777	Fundraising
7.	Firefighter Print & Design	09/05/01	\$4,525	Fundraising
8.	Anne Foster Baird	09/27/01	\$500	Fundraising
9.	Ann Foster Baird	10/11/01	\$4,650	Fundraising

10.	BDL Investments c/o Property Services	12/31/01	\$5,928	Office Expenses
11.	Sandy Lacy, dba S.J. Lacy Productions	12/31/01	\$12,870	Fundraising
12.	Stockton Waterloo Gun & Bocci Club, Inc.	12/31/01	\$17,400	Fundraising
13.	Virga Catering, Inc.	12/31/01	\$1,121	Fundraising
14.	BDL Investments, c/o Property Services	02/16/02	\$988	Office Expenses
15.	Sandy Lacy, dba S.J. Lacy Productions	02/16/02	\$2,000	Fundraising
16.	BDL Investments c/o Property Services	06/30/02	\$4,212	Office Expenses
17.	Sandy Lacy, dba S.J. Lacy Productions	06/30/02	\$5,000	Fundraising
18.	Monica Cisneros, dba Animo	07/20/02	\$1,324	Fundraising
19.	Monica Cisneros, dba Animo	08/05/02	\$2,425	Fundraising
20.	Christopher Beckrest, dba Beckrest Graphic	08/12/02	\$664	Fundraising
21.	U.S. Postmaster	08/20/02	\$3,500	Fundraising
22.	Firefighter Print & Design	08/30/02	\$5,778	Fundraising
23.	BDL Investments c/o Property Services	09/30/02	\$4,160	Office Expenses
24.	Anne Foster Baird	10/08/02	\$7,500	Fundraising
25.	Monica Cisneros, dba Animo	10/19/02	\$1,275	Fundraising
26.	Stockton Waterloo Gun & Bocci Club, Inc.	10/19/02	\$17,650	Fundraising
27.	McKinley Pillows Fundraising and Events	10/28/02	\$1,517	Fundraising
28.	Monica Cisneros, dba Animo	11/07/02	\$2,100	Fundraising
29.	Monica Cisneros, dba Animo	11/20/02	\$1,725	Fundraising
30.	Monica Cisneros, dba Animo	12/05/02	\$1,700	Fundraising
31.	Monica Cisneros, dba Animo	12/17/02	\$1,518	Fundraising
32.	BDL Investments c/o Property Services	12/31/02	\$2,080	Office Expenses
33.	Monica Cisneros, dba Animo	01/07/03	\$1,125	Fundraising
34.	Monica Cisneros, dba Animo	01/22/03	\$3,395	Fundraising
35.	Monica Cisneros, dba Animo	03/05/03	\$2,337	Fundraising
36.	Norma Smith-Davis, dba Davis Associates	03/05/03	\$2,850	Consulting

1	37.	Monica Cisneros, dba Animo	03/28/03	\$2,705	Fundraising
2	38.	Monica Cisneros, dba Animo	04/09/03	\$3,753	Fundraising
3	39.	Monica Cisneros, dba Animo	04/22/03	\$3,809	Fundraising
4	40.	Monica Cisneros, dba Animo	05/05/03	\$2,775	Fundraising
5	41.	Norma Smith-Davis, dba Davis Associates	05/13/03	\$4,404	Consulting
6	42.	Monica Cisneros, dba Animo	05/20/03	\$2,925	Fundraising
7	43.	Monica Cisneros, dba Animo	06/03/03	\$6,375	Fundraising
8	44.	Norma Smith-Davis, dba Davis Associates	06/05/03	\$6,488	Consulting
9	45.	Monica Cisneros, dba Animo	06/17/03	\$7,500	Fundraising
10	46.	BDL Investments c/o Property Services	06/30/03	\$7,592	Office Expenses
11	47.	Monica Cisneros, dba Animo	07/08/03	\$8,025	Fundraising
12	48.	Norma Smith-Davis, dba Davis Associates	07/10/03	\$4,140	Consulting
13	49.	Virgas Catering, Inc.	07/14/03	\$1,023	Fundraising
14	50.	Monica Cisneros, dba Animo	07/18/03	\$6,675	Fundraising
15	51.	Monica Cisneros, dba Animo	08/07/03	\$5,700	Fundraising
16	52.	Monica Cisneros, dba Animo	08/19/03	\$5,025	Fundraising
17	53.	Monica Cisneros, dba Animo	09/03/03	\$4,425	Fundraising
18	54.	Norma Smith-Davis, dba Davis Associates	09/29/03	\$2,391	Consulting
19	55.	BDL Investments c/o Property Services	09/30/03	\$2,184	Office Expenses
20	56.	Norma Smith-Davis, dba Davis Associates	11/10/03	\$1,813	Consulting
21	57.	Norma Smith-Davis, dba Davis Associates	12/08/03	\$2,295	Consulting
22	58.	BDL Investments c/o Property Services	12/31/03	\$5,460	Office Expenses
23		TOTAL		\$246,762	

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25
26 By intentionally or negligently failing to make the above-described fifty-eight expenditures for
27 Defendant Machado's 2004 re-election to state senate from a campaign bank account established for
28 that office, Defendants Machado, Sinnock, 2000 Committee, and 2004 Committee, violated
Government Code section 85201, subdivision (e).

1 D. FOURTH CAUSE OF ACTION

2 In the course of Defendant Machado's state senate re-election campaign, Defendants Machado,
3 Sinnock, 2000 Committee, and 2004 Committee misreported contributions received and expenditures
4 made in connection with Defendant Machado's re-election campaign for state senate by reporting these
5 contributions and expenditures on the campaign statements of the incorrect committee, as follows:

6 On or about and between July 31, 2001 through May 20, 2004, Defendants Machado, Sinnock,
7 2000 Committee, and 2004 Committee filed electronic and paper campaign statements and online
8 contribution reports that incorrectly reported the above-referenced one hundred eighty-nine
9 contributions as contributions to Defendant 2000 Committee, and the above-referenced fifty-eight
10 expenditures as expenditures made by Defendant 2000 Committee, and failed to report those
11 contributions and expenditures, as contributions to and expenditures made by, Defendant 2004
12 Committee.

13 In the semi-annual campaign statement of Defendant 2000 Committee, filed on or about July
14 31, 2001, for the reporting period ending June 30, 2001, and on a subsequent amendment, Defendants
15 Machado, Sinnock, and 2000 Committee over-reported, and Defendants Machado, Sinnock, and 2004
16 Committee under-reported, the total amount of contributions received during the reporting period in the
17 approximate amount of \$78,750.

18 In the same semi-annual campaign statement of Defendants 2000 Committee, filed on or about
19 July 31, 2001, described above, Defendants Machado, Sinnock, and 2000 Committee over-reported,
20 and Defendants Machado, Sinnock, and 2004 Committee under-reported, the total amount of
21 expenditures made during the reporting period in the approximate amount of \$23,487.

22 In the semi-annual campaign statements of Defendants 2000 Committee and 2004 Committee,
23 filed on or about January 10, 2002, for the reporting period ending December 31, 2001, and on
24 subsequent amendments, Defendants Machado, Sinnock, and 2000 Committee over-reported, and
25 Defendants Machado, Sinnock, and 2004 Committee under-reported, the total amount of contributions
26 received during the reporting period in the approximate amount of \$43,250.

27 In the same semi-annual campaign statements of Defendants 2000 Committee and 2004
28 Committee, filed on or about January 10, 2002, described above, Defendants Machado, Sinnock, and

1 2000 Committee over-reported, and Defendants Machado, Sinnock, and 2004 Committee under-
2 reported, the total amount of expenditures made during the reporting period in the approximate amount
3 of \$48,970.

4 In the pre-election campaign statements of Defendants 2000 Committee and 2004 Committee,
5 filed on or about January 24, 2002, for the reporting period ending January 19, 2002, and on subsequent
6 amendments, Defendants Machado, Sinnock, and 2000 Committee over-reported, and Defendants
7 Machado, Sinnock, and 2004 Committee under-reported, the total amount of contributions received
8 during the reporting period in the approximate amount of \$9,500.

9 In the pre-election campaign statements of Defendants 2000 Committee and 2004 Committee,
10 filed on or about February 22, 2002, for the reporting period ending February 16, 2002, and on
11 subsequent amendments, Defendants Machado, Sinnock, and 2000 Committee over-reported, and
12 Defendants Machado, Sinnock, and 2004 Committee under-reported, the total amount of contributions
13 received during the reporting period in the approximate amount of \$32,500.

14 In the same pre-election campaign statements of Defendants 2000 Committee and 2004
15 Committee, filed on or about February 22, 2002, described above, Defendants Machado, Sinnock, and
16 2000 Committee over-reported, and Defendants Machado, Sinnock, and 2004 Committee under-
17 reported, the total amount of expenditures made during the reporting period in the approximate amount
18 of \$2,988.

19 In the semi-annual campaign statements of Defendants 2000 Committee and 2004 Committee,
20 filed on or about July 31, 2002, for the reporting period ending June 30, 2002, and on a subsequent
21 amendment, Defendants Machado, Sinnock, and 2000 Committee over-reported, and Defendants
22 Machado, Sinnock, and 2004 Committee under-reported, the total amount of contributions received
23 during the reporting period in the approximate amount of \$18,750.

24 In the same semi-annual campaign statements of Defendants 2000 and 2004 Committee, filed
25 on or about July 31, 2002, described above, Defendants Machado, Sinnock, and 2000 Committee over-
26 reported, and Defendants Machado, Sinnock, and 2004 Committee under-reported, the total amount of
27 expenditures made during the reporting period in the approximate amount of \$9,212.

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1 In the pre-election campaign statements of Defendants 2000 Committee and 2004 Committee,
2 filed on or about October 7, 2002, for the reporting period ending September 30, 2002, and on
3 subsequent amendments, Defendants Machado, Sinnock, and 2000 Committee over-reported, and
4 Defendants Machado, Sinnock, and 2004 Committee under-reported, the total amount of contributions
5 received during the reporting period in the approximate amount of \$12,500.

6 In the same pre-election campaign statements of Defendants 2000 Committee and 2004
7 Committee, filed on or about October 7, 2002, described above, Defendants Machado, Sinnock, and
8 2000 Committee over-reported, and Defendants Machado, Sinnock, and 2004 Committee under-
9 reported, the total amount of expenditures made during the reporting period in the approximate amount
10 of \$17,851.

11 In the pre-election campaign statements of Defendants 2000 Committee and 2004 Committee,
12 filed on or about October 24, 2002, for the reporting period ending October 19, 2002, and on a
13 subsequent amendment, Defendants Machado, Sinnock, and 2000 Committee over-reported, and
14 Defendants Machado, Sinnock, and 2004 Committee under-reported, the total amount of contributions
15 received during the reporting period in the approximate amount of \$2,407.

16 In the same pre-election campaign statements of Defendants 2000 Committee and 2004
17 Committee, filed on or about October 24, 2002, described above, Defendants Machado, Sinnock, and
18 2000 Committee over-reported, and Defendants Machado, Sinnock, and 2004 Committee under-
19 reported, the total amount of expenditures made during the reporting period in the approximate amount
20 of \$26,425.

21 In the semi-annual campaign statements of Defendants 2000 Committee and 2004 Committee,
22 filed on or about January 30, 2003, for the reporting period ending December 31, 2002, and on
23 subsequent amendments, Defendants Machado, Sinnock, and 2000 Committee over-reported, and
24 Defendants Machado, Sinnock, and 2004 Committee under-reported, the total amount of contributions
25 received during the reporting period in the approximate amount of \$7,000.

26 In the same semi-annual campaign statements of Defendants 2000 Committee and 2004
27 Committee, filed on or about January 30, 2003, described above, Defendants Machado, Sinnock, and
28 2000 Committee over-reported, and Defendants Machado, Sinnock, and 2004 Committee under-

1 reported, the total amount of expenditures made during the reporting period in the approximate amount
2 of \$10,640.

3 In the semi-annual campaign statements of Defendants 2000 Committee and 2004 Committee,
4 filed on or about July 31, 2003 and July 29, 2003, respectively, for the reporting period ending June 30,
5 2003, and on a subsequent amendment, Defendants Machado, Sinnock, and 2000 Committee over-
6 reported, and Defendants Machado, Sinnock, and 2004 Committee under-reported, the total amount of
7 contributions received during the reporting period in the approximate amount of \$15,000.

8 In the same semi-annual campaign statements of Defendants 2000 Committee and 2004
9 Committee, filed on or about July 31, 2003 and July 29, 2003, respectively, described above,
10 Defendants Machado, Sinnock, and 2000 Committee over-reported, and Defendants Machado,
11 Sinnock, and 2004 Committee under-reported, the total amount of expenditures made during the
12 reporting period in the approximate amount of \$58,033.

13 In the pre-election campaign statements of Defendants 2000 Committee and 2004 Committee,
14 filed on or about October 10, 2003, for the reporting period ending September 30, 2003, and on
15 subsequent amendments, Defendants Machado, Sinnock, and 2000 Committee over-reported, and
16 Defendants Machado, Sinnock, and 2004 Committee under-reported, the total amount of contributions
17 received during the reporting period in the approximate amount of \$16,000.

18 In the same pre-election campaign statements of Defendants 2000 Committee and 2004
19 Committee, filed on or about October 10, 2003, described above, Defendants Machado, Sinnock, and
20 2000 Committee over-reported, and Defendants Machado, Sinnock, and 2004 Committee under-
21 reported, the total amount of expenditures made during the reporting period in the approximate amount
22 of \$39,588.

23 In the semi-annual campaign statements of Defendants 2000 Committee and 2004 Committee,
24 filed on or about January 12, 2004, for the reporting period ending December 31, 2003, and on a
25 subsequent amendment, Defendants Machado, Sinnock, and 2000 Committee over-reported, and
26 Defendants Machado, Sinnock, and 2004 Committee under-reported, the total amount of expenditures
27 made during the reporting period in the approximate amount of \$9,569.

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1 By intentionally or negligently failing to properly disclose the one hundred and eighty-nine
2 contributions and fifty-eight expenditures described above, Defendants Machado, Sinnock, 2000
3 Committee, and 2004 Committee violated Government Code section 84211, subdivisions (c), (f), (i),
4 and (k).

5 E. FIFTH CAUSE OF ACTION

6 As Defendant Machado was a candidate for state senate for an election occurring during the
7 period January 1, 2003 through December 31, 2004, he was prohibited from accepting from any person,
8 as defined in Government Code section 82047, other than a small contributor committee or political
9 party committee, any contribution that either individually, or in aggregation with other contributions
10 from that same person, totaled more than three thousand two hundred dollars (\$3,200) per election. For
11 the 2004 primary and general elections for state senate, the maximum combined contribution limit for a
12 person from January 1, 2003 through December 31, 2004 is six thousand four hundred dollars (\$6,400).

13 In the course of depositing contributions into the campaign bank account of Defendant 2000
14 Committee, that were to support Defendant Machado's 2004 re-election campaign, Defendant Machado
15 accepted from persons, other than small contributor committees or political party committees, nineteen
16 contributions, totaling approximately \$49,800, for his state senate re-election campaign that were on
17 their face, or in the aggregate, in excess of the limits applicable to a candidate for state senate.

18 Those nineteen contributions consist of the contributions described in the following chart:

Violation	Name of Contributor (Person)	Total Amount of Contributions Subject to Limits Previously Accepted	Date Excessive Contribution Received	Amount of Contribution Accepted in Violation of the Limits
1.	West Coast Grape Farms	\$5,000	04/22/03	\$3,200
2.	West Coast Grape Farms	\$8,200	04/22/03	\$3,200
3.	California Bankers Association State PAC	\$5,000	06/09/03	\$2,500
4.	California Bankers Association State PAC	\$7,500	09/30/03	\$200
5.	California Bankers Association State PAC	\$1,700	09/30/03	\$300
6.	California Bankers Association State PAC	\$8,200	05/14/04	\$1,000

7.	E & J Gallo Winery	\$5,700	06/09/03	\$1,800
8.	E & J Gallo Winery	\$7,500	04/30/04	\$1,200
9.	Robert Simonds	\$- 0 -	06/17/03	\$10,000
10.	Robert Simonds	\$10,000	04/13/04	\$3,200
11.	AWIN Management, Inc. c/o Allied Waste North America, Inc.	\$5,000	09/12/03	\$3,000
12.	AWIN Management, Inc. c/o Allied Waste North America, Inc.	\$8,000	06/03/04	\$2,500
13.	Dairy Institute Legislative Committee	\$6,200	01/27/04	\$1,400
14.	Sacramento County Deputy Sheriffs' Association	\$6,200	02/06/04	\$3,200
15.	Pacific Gas & Electric Corporation/ Pacific Gas & Electric Company	\$6,200	02/20/04	\$400
16.	The Zenith Insurance Company	\$3,500	05/17/04	\$3,200
17.	Agua Caliente Band of Cahuilla Indians	\$3,600	06/04/04	\$3,200
18.	Mercury General Corporation	\$5,700	06/14/04	\$3,200
19.	Waste Management-Western Group and Waste Management, Affiliated Entities	\$4,500	06/21/04	\$2,900
	TOTAL			\$49,800

By intentionally or negligently accepting from persons, other than small contributor committees or political party committees, the above-described nineteen contributions in support of his 2004 re-election campaign for state senate, that were on their face, or when aggregated with other contributions previously received and deposited, in excess of the limits for a candidate for state senate, Defendant Machado violated Government Code section 85301, subdivision (a).

F. SIXTH CAUSE OF ACTION

As Defendant Machado was a candidate for state senate for an election occurring during the period January 1, 2003 through December 31, 2004, he was prohibited from accepting from any small contributor committee, as defined in Government Code section 85203, any contribution that either individually, or in aggregation with other contributions from that same small contributor committee, totaled more than six thousand four hundred dollars (\$6,400) per election. For the 2004 primary and general elections for state senate, the maximum combined contribution limit for a small contributor

1 committee from January 1, 2003 through December 31, 2004 is twelve thousand eight hundred dollars
2 (\$12,800).

3 In the course of depositing contributions into the campaign bank account of Defendant 2000
4 Committee, that were to support Defendant Machado's 2004 re-election campaign, Defendant Machado
5 accepted from a small contributor committee contributions that in the aggregate were in excess of the
6 limits applicable to a candidate for state senate.

7 Those contributions consist of the contributions described in the following chart:

8 9 10 11 Violation	Name of Contributor (Small Contributor Committee)	Total Amount of Contributions Subject to Limits Previously Accepted	Date Excessive Contribution Received	Amount of Contribution Accepted in Violation of Limits
12 1. CA State Employees' Association Member Action Committee		\$8,000	06/30/04	\$6,400
13 TOTAL				\$6,400

14
15 By intentionally or negligently accepting from a small contributor committee the above-
16 described contribution in support of his 2004 re-election campaign for state senate, that was, when
17 aggregated with other contributions previously received and deposited, in excess of the limits
18 applicable to a candidate for state senate, Defendant Machado violated Government Code section
19 85302, subdivision (a).

20 CONCLUSION

21 Judgment shall be entered against Defendants Michael Machado, Stephen K. Sinnock, Machado
22 for Senate formerly known as Machado for Senate 2000, and Machado for Senate 2004, and in favor of
23 Plaintiff Fair Political Practices Commission, as provided by this stipulation.

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26 ///

27 ///

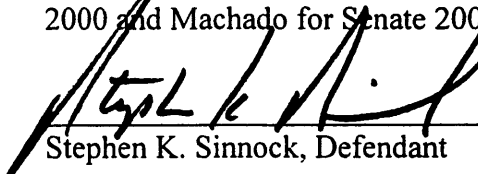
1 IT IS SO STIPULATED:

2
3 Dated: 8/30/04



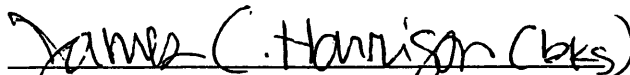
Michael Machado, Defendant, individually and on behalf of
Machado for Senate formerly known as Machado for Senate
2000 and Machado for Senate 2004, Defendants

4
5
6 Dated: 8/30/04



Stephen K. Sinnock, Defendant

7
8
9 Dated: 8/30/04

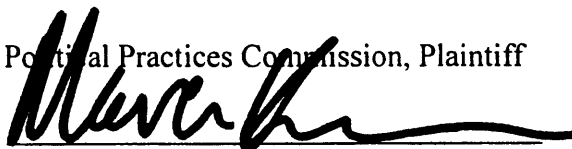


James C. Harrison, Remcho, Johansen & Purcell
Attorneys for Defendants

10
11
12 Dated: 8/30/04

Fair Political Practices Commission, Plaintiff

By:



Mark Krausse, Executive Director

13
14
15 Dated: 8/30/04



Deanne Canar, Attorney for Plaintiff
Fair Political Practices Commission

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6 Attorneys for Plaintiff

7
8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 IN AND FOR THE COUNTY OF SACRAMENTO
10

11 FAIR POLITICAL PRACTICES COMMISSION,
a state agency,

12 Plaintiff,

13 v.

14 MICHAEL MACHADO, MACHADO FOR
15 SENATE formerly known as MACHADO FOR
16 SENATE 2000, MACHADO FOR SENATE 2004,
and STEPHEN K. SINNOCK,

17 Defendants.
18

Case No.

FINAL JUDGMENT PURSUANT TO
STIPULATION

(Judgment in Favor of Plaintiff, Fair
Political Practices Commission, Against
Defendants, Michael Machado, Machado
for Senate formerly known as Machado
for Senate 2000, Machado for Senate
2004, and Stephen K. Sinnock)

UNLIMITED CIVIL ACTION

19 Plaintiff Fair Political Practices Commission, a state agency, by its attorneys, and Defendants,
20 Michael Machado, Machado for Senate formerly known as Machado for Senate 2000, Machado for
21 Senate 2004, and Stephen K. Sinnock, by their attorneys, having entered into the Stipulation for Entry of
22 Judgment attached hereto, wherein the parties stipulated and agreed to the existence of certain facts and
23 conclusions of law, and to the issuance of this Final Judgment; and

24 Defendants Michael Machado, Machado for Senate formerly known as Machado for Senate
25 2000, Machado for Senate 2004, and Stephen K. Sinnock having authorized the Court to enter judgment
26 in this action, pursuant to this stipulation, on request of Plaintiff Fair Political Practices Commission,
27 without notice to Defendants; and good cause appearing therefore;

28 ///

EXHIBIT A

1 IT IS HEREBY ORDERED, DECREED AND ADJUDGED THAT:

2 Defendants Michael Machado, Machado for Senate formerly known as Machado for Senate
3 2000, Machado for Senate 2004, and Stephen K. Sinnock admit that they violated the Political Reform
4 Act, as stipulated and agreed to within the attached Stipulation for Entry of Judgment.

5 For these violations, it is ordered that Defendants Michael Machado, Machado for Senate
6 formerly known as Machado for Senate 2000, Machado for Senate 2004, and Stephen K. Sinnock shall
7 pay a monetary penalty, as follows: in the amount of twenty-five thousand dollars (\$25,000) against
8 Defendant Michael Machado, for the first, fifth, and sixth causes of action, as set forth in the complaint;
9 and in the amount of thirty-six thousand dollars (\$36,000) against Defendants Michael Machado,
10 Machado for Senate formerly known as Machado for Senate 2000, Machado for Senate 2004, and
11 Stephen K. Sinnock, for the second, third, and fourth causes of action, as set forth in the complaint; for a
12 total civil penalty of sixty-one thousand dollars (\$61,000). Payment of this amount shall be made by
13 cashier's check, payable to the "General Fund of the State of California," upon execution of the attached
14 Stipulation for Entry of Judgment.

15 It is further ordered that Defendants Michael Machado, Machado for Senate formerly known as
16 Machado for Senate 2000, Machado for Senate 2004, and Stephen K. Sinnock, and their agents,
17 servants, and employees, and all persons acting in concert with them, or for them, shall file original and
18 amended campaign statements by September 21, 2004, for Defendants Machado for Senate and
19 Machado for Senate 2004, to: accurately disclose contributions that were misreported as being made to
20 Defendant Machado for Senate instead of to Defendant Machado for Senate 2004; and accurately
21 disclose expenditures that were misreported as being made by Defendant Machado for Senate instead of
22 by Defendant Machado for Senate 2004.

23 It is further ordered that Defendant Michael Machado, and his agents, servants, and employees,
24 and all persons acting in concert with him, or for him, shall include, in making a determination as to
25 whether any contributors have reached the applicable limit for contributions for the 2004 primary and
26 general elections for state senate, contributions for the state senate re-election campaign that were
27 deposited into the campaign bank account for Defendant Machado for Senate.
28

1 The parties shall each bear their own attorney's fees and costs.

2 This Final Judgment shall take effect immediately upon entry. The clerk is directed to enter this
3 Final Judgment forthwith.

4
5 Dated: _____

Judge of the Superior Court